

Many of our colleagues think we ought to continue to "borrow" from the highway trust fund to make the budget look better than it really is. We have a chance to say no to that kind of "sleight of hand" next week. Spending money for the purpose we tell taxpayers we're collecting it for is one of the kinds of tax relief that taxpayers will appreciate. One of our priorities should be "truth in taxing."

#### IN RECOGNITION OF STUDENT MEMBERS OF THE "KICK BUTTS CONNECTICUT" CAMPAIGN TO END YOUTH SMOKING

(Ms. DELAURO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DELAURO. Madam Speaker, I rise today to pay tribute to a great bunch of kids who are sitting in the gallery this morning with their parents and their advisers. These students are all members of the "Kick Butts Connecticut" campaign, which I started 2 years ago to help combat smoking in my home State. They are true heroes, acting as antismoking peer counselors for school children.

Madam Speaker, I do not have time in 1 minute to talk about all their many accomplishments, but I would like to acknowledge them each by name: Rhiann Hinckley from Memorial Middle School in Middlefield; Emily Parmenter also from Memorial Middle School in Middlefield; Josh Zelem from Amity Junior High School in Bethany; Lindsey Norman from Amity Junior High School in Orange; and Chika Anekwe from Wooster Middle School in Stratford. Two additional students who made the trip down to Washington but have already returned to Connecticut: Dan Lerman from Amity Junior High in Bethany and Shannon Mason from Hamden Country Day School in Hamden, Connecticut.

Madam Speaker, I salute these young people for their creative efforts, for their hard work, and for their dedication in the fight to reduce youth smoking. Every single day they are saving children's lives and we are all very grateful and we are all very proud.

#### FOREST RECOVERY AND PROTECTION ACT OF 1998

The SPEAKER pro tempore. Pursuant to House resolution 394 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2515.

□ 1015

#### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2515) to address declining health of forests on Federal lands in the United States through a program of recovery and protection consistent with the requirements of existing public land management and environmental laws, to establish a program to inventory, monitor, and analyze public and private forests and their resources, and for other purposes, with Mr. COLLINS in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Oregon (Mr. SMITH) and the gentleman from Texas (Mr. STENHOLM) each will control 30 minutes.

The Chair recognizes the gentleman from Oregon (Mr. SMITH).

Mr. SMITH of Oregon. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the Forest Recovery and Protection Act of 1998 is the result of some 14 months of listening and learning and fact-gathering. It is the result of seven hearings in which we heard from a broad array of people across this Nation, including scientists, academics, State foresters, professional associates, environmental groups, wildlife organizations, citizens, community leaders, elected officials, organized labor, the forest products industry and the administration.

Beyond the hearing process, the committee has worked exhaustively with minority Members, northeastern Republicans, hopefully all Members of this body to refine the bill to broaden support for what we believe is a very necessary and a very reasonable initiative. We extended a hand and we worked with those who have expressed concerns with the bill and we were willing to work in good faith to find solutions.

I am delighted to stand here today and to tell my colleagues that because we have collaborated with these concerned parties we have a stronger bill and one that truly represents, we believe, diverse interests. Here are just a few of the groups, by the way, that support this bill: the AFL-CIO, the United Brotherhood of Carpenters and Joiners of America, the National Association of Counties, the Society of American Foresters, the National Association of State Foresters, the National Association of Professional Forestry Schools.

But despite our best efforts to include all interests in crafting this legislation, there are those of course who have elected to remain outside the process rather than coming to the table to seek solutions. Unfortunately, because they have not been engaged, there are some misunderstandings about this bill, which I would like to clear up.

There are a number of people who are talking about this bill, about what it is not. I would like to explain to them about what the bill does. It is a five-year pilot project providing a timely and organized and scientific strategy to address the chronic conditions of our national forests. The bill estab-

lishes an independent scientific panel through the National Academy of Sciences to recommend to the Secretary of Agriculture the standards and criteria that should be used to identify which national forests are in the worst shape and where restoration efforts are needed most.

The public then provides input on the standards and criteria which the Secretary publishes. Based upon the standards and criteria, the Secretary then determines which forests have the greatest restoration needs and allocates amounts to those forests. On-the-ground forest managers then begin planning projects to restore degraded and deteriorating forest resources.

I have been hearing information to the contrary, so I want to make this clear to everyone in this assembly. These projects must comply with all applicable environmental laws. This legislation does not in any way limit public participation under existing laws and regulations. More than that, a full, open, public process must be conducted by all recovery projects. All project planning, including analysis of environmental impacts, must comply with NEPA, the National Environmental Policy Act. Recovery projects must be consistent with land and resource management plans, plans that have been analyzed by NEPA and have been deemed consistent with environmental laws and regulations. There is no short-circuiting, circumventing or limiting of laws. Public process or judicial review anywhere in this bill are always protected.

So those who oppose 2515, the original bill, must oppose current environmental laws and regulations. Those who oppose this bill must oppose restoring fish habitat. They must oppose reducing the threat of epidemic levels of insects and disease. They must oppose replanting trees and stabilizing slopes after catastrophic events, and they must oppose reducing the risk of wildfire.

Those who oppose this bill say the forest health crisis is a myth, that forest health is an excuse to log our national forests. Of course, not every acre in the National Forest is degraded or deteriorating, but over the last decade an enormous body of scientific literature has been generated about our degraded, deteriorating forest resources. Scientists agree that our forests are "outside the historic range of variability," and that active management is necessary in some areas to begin to return forests to their historic conditions.

The Chief of the Forest Service has said that there are some 40 million acres of National Forest at unacceptable risk of destruction by catastrophic fire, and listed these sources: the Integrated Scientific Assessment for Ecosystem Management in the Interior Columbia Basin says, "We found that forests and ecosystems have become more susceptible to severe fire and outbreaks of insects and disease"; the Southern

Appalachian Assessment states, "Several tree species in the Southern Appalachians are at risk of extinction or significant genetic loss because of exotic pests" and "lack of active management in other stands has led to development of dense understories, and to the senescence of overstory trees of some species"; the Sierra Nevada Ecosystem Project states, "Fire protection for the last half century has provided for the development of continuous dense forest stands which are in need of thinning to accelerate growth, reduce fire hazard, provide for more mid-successional forest habitat and yield of usable wood."

Well, there is no question about it in my mind and all others that this is an essential bill. "Active management" is a term that is frequently distorted. Active management could be creating in-stream structure for fish habitat. It could be planting native grasses to stabilize the stream bed; it could be planting trees near a stream to provide shade to reduce stream temperatures; and yes, it could also be cutting trees to prevent the spread of insects and disease or reduce the risk of catastrophic wildfire.

It seems to me, Mr. Chairman, that the Forest Service is in some state of catatonic immobilization in that the direction; and the goals of the Forest Service are somehow hidden, and direction is essential, which certainly this legislation does. The Forest Service, I believe, needs emergency care here to help them direct resources in this Nation to protect this very valuable resource.

On-the-ground managers are confused and frustrated with their missions. While environmental laws, no question about it, have shut down logging, particularly in the Pacific Northwest, please give us an opportunity to nurture and care for this resource. To let it burn is huge waste; to let it burn means we lost all the environmental issues that we all deem important; we lost stream bank protection, we lost the resource, we lost wildlife, we lost all of those important issues to all of us in the West for some 250 years.

Will this legislation answer all the questions? Of course not. This is a moderate, meager, bipartisan effort to answer some of the problems and some of the forests that are in the worst condition in this Nation. We think that this will give the Forest Service the direction necessary and again, I reiterate, abide by every environmental law in this land.

Mr. Chairman, I reserve the balance of my time.

Mr. STENHOLM. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in strong support of H.R. 2515, the Forest Recovery and Protection Act. H.R. 2515 creates a 5-year national program that requires the Secretary of Agriculture to identify, prioritize, and conduct recovery projects. This program includes public

notice and comment before any money is allocated to the local forests for recovery projects. Once they reach the local level, all projects will go through the appropriate environmental review before any work is performed on the ground.

□ 1030

In the past, forest fires burned timber stands on a regular basis, purging the forest floor of the sickly trees and other undergrowth that fuel catastrophic wildfires and hinder the development of mature disease resistant trees. Throughout the 20th century, Federal agencies have worked to extinguish virtually every fire. This is for good reason, as uncontrolled fires threaten lives and property.

However, allowing forest overgrowth to accumulate contributes to the current tinderbox conditions and reduces habitat for deer and other wildlife. Not fighting fires, however, is not the cure—all some assume. With so much accumulated fuel, prescribed burning, intentionally setting fires or allowing naturally occurring ones to burn is a real risk. All too often fires intended to rehabilitate a forest grow outside their boundaries, destroying millions of acres of healthy green trees as well as wildlife, watersheds and other critical parts of the ecological system.

In short, fires reduce the number of uses our forest lands with support. Current moves toward hands-off policies which are applauded by extremists posing as environmentalists fail on several levels, including preventing catastrophic natural events like uncontrolled wildfire and insect infestations. Policies based on neglect also prevent us from protecting a full range of threatened and endangered species and reducing atmospheric carbon dioxide emissions caused by fires. By abandoning active forest management, including timber harvesting in our national forests, we are condemning them to a cycle of unnaturally overcrowded, unhealthy tree stands which serve as poor habitat for native species and deprive Americans of quality wood products and a vibrant rural economy.

Proper management of our forests is as important to Members from southeastern districts as it is to those from the Pacific northwest. My district, the Sixth District of Virginia, is home to large portions of the George Washington and Thomas Jefferson National Forests. Teams of natural resource specialists, including the Forest Service, EPA, the Appalachian Regional Commission, and the Fish and Wildlife Service, assessed the health of forest lands, including the George Washington and Thomas Jefferson National Forests, in the Southern Appalachian Assessment. These experts noted the following. Several tree species in the southern Appalachians are at risk of extinction or significant genetic loss because of exotic pests. Lack of active management in other stands has led to the development of dense understories

and to the senescence of overstory trees of some species. That is the Southern Appalachian Assessment.

By not managing our forests, we are in fact mismanaging them. I urge all Members to support H.R. 2515, the Forest Recovery and Protection Act. This bill abides by all applicable environmental laws and forest plans, creates a 5-year program to address forest health, creates a scientific advisory panel to help administer the national program, requires audits of the program and ensures that foresters have the access to the best and most current data. Most importantly, it enables the Secretary immediately to conduct forest health projects in those areas where there is sufficient science to move quickly. I strongly urge passage of this legislation.

Mr. STENHOLM. Mr. Chairman, I yield 2 minutes to the gentlewoman from Oregon (Ms. FURSE).

Ms. FURSE. I thank the gentleman for yielding me this time. Mr. Chairman, I would like to talk today about this bill, the so-called Forest Recovery and Protection Act. We are going to hear a great deal about forest health today, so I want my colleagues to know that one of the reasons our forests are so unhealthy is because of clear-cutting. This bill is a straightforward attack on natural resources. It is an attack under the guise of forest health.

I would like my colleagues to think back to those days in the last Congress when we passed the salvage logging rider. Do you remember it? Well, I do. I remember the piece that 60 Minutes did revealing how bad policy led to the worst environmental mistakes of this decade. Let us not repeat the mistakes of the salvage rider. The bill before us would disrupt local partnerships, local community efforts to restore sensitive habitat. This bill is a Washington, D.C. answer, not a local answer. We have people working together to solve these problems and this bill will disrupt it.

We have heard talk about the hearings. My governor, the governor of Oregon stressed that active management in our national forests should avoid areas such as roadless areas, old growth stands, fragile watersheds and sensitive fish habitat. H.R. 2515 would not avoid those areas. My governor has given us good advice. Let us follow it. This bill is based on the premise that these forests are unhealthy and that logging is the cure. I would again point out this picture. Logging created the problems, in some places clear-cutting. Over 100 scientists oppose this bill. They say that increased logging will not cure a forest's ills.

I join with many groups today opposing this bill. The League of Conservation Voters has said that they will score this bill. The President has sent us a message that he will consider vetoing this bill. The other people who are opposing the bill are Taxpayers for Common Sense, the Presbyterian Church, the Methodist Church and the League of Conservation Voters. Join

them, my friends, join them and vote no on H.R. 2515. This is a bad idea.

Mr. SMITH of Oregon. Mr. Chairman, I yield 2 minutes to the gentleman from Nebraska (Mr. BARRETT).

Mr. BARRETT of Nebraska. I thank the gentleman for yielding me this time.

Mr. Chairman, I rise to support the Forest Recovery and Protection Act and to praise the gentleman from Oregon (Mr. SMITH) for his dedication to forest health issues and things that have bedeviled Congress for many years. I also want to commend the gentleman from Texas (Mr. STENHOLM) for his willingness to work with our chairman and for his leadership on this specific issue. Many of my colleagues perhaps do not realize that Nebraska is the home of a national forest. Fortunately, the Nebraska National Forest does not have any major health problems. Neither is it threatened by destructive fires or infestation of disease and insects. However, I know that many of our forests in this country are at code red levels. According to the U.S. Forest Service's own analysis, between 35 and 40 million of the 191 million acres it manages is, quote, at an unacceptable risk of destruction by catastrophic wildfire.

I realize that some of my colleagues oppose this bill. I wonder if they would oppose it, however, if the town in their district had an out-of-control fire racing right toward that community. We are also going to hear many reasons to support the bill throughout the debate.

Mr. Chairman, I would like to reiterate a few that I think are critical. This bill is a timely solution to a very real problem. It requires all decisions made under a forest recovery plan to comply with all Federal laws. It uses an independent panel of forest scientists to advise the Forest Service on which forests are at greater risk. And it requires the Forest Service to be accountable for its performance. The bill has undergone numerous changes, all in an attempt to address specific Members' concerns.

Again I praise the gentleman from Oregon (Mr. SMITH) and the gentleman from Texas (Mr. STENHOLM) for their tenacity and willingness to work with their colleagues. I think it is time to accept the bill, Mr. Chairman. I urge Members to support it. I think it is a responsible solution to a very serious problem that our forests face.

Mr. STENHOLM. Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota (Mr. PETERSON).

Mr. PETERSON of Minnesota. Mr. Chairman, today I rise in strong support of H.R. 2515, the Forest Recovery and Protection Act. This bill is the product of seven hearings in the Agriculture Committee on forest conditions in the United States, which included witnesses from the administration, scientists, academics, lawmakers, state foresters, land managers, local elected officials, environmentalists and the forest products industry. This bill pro-

vides a bipartisan plan for restoring and protecting damaged forest resources in all regions of the country. H.R. 2515 requires priority recovery of forest resources at greatest risk using prescribed burning, insect disease control, riparian and other habitat improvement, reforestation and other appropriate recovery activities. It operates in strict compliance with all environmental laws and forest plans and prohibits entry into wilderness, roadless areas, old growth stands or riparian areas and other areas currently protected by law, court order or forest plan.

Additionally, this bill establishes an independent interdisciplinary panel of scientists to advise the Secretary on how to identify and prioritize appropriate reforestation priorities for forest resources that are either damaged or at risk. It gives priority to recovery projects conducted in areas where thorough scientific assessments have been completed. I think the Forest Recovery and Protection Act is a sensible bipartisan approach to improving and protecting our country's most endangered forest resources. I urge my colleagues to support H.R. 2515.

Mr. SMITH of Oregon. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. HERGER).

Mr. HERGER. Mr. Chairman, I rise to speak in strong support of the Forest Recovery and Protection Act. I have the great privilege to represent a district in northern California that includes all of or parts of nine national forests. Historically, these forests were filled with stands of large trees. The forest floors were less dense and were often naturally thinned out by fires that would clean out dense underbrush and would leave the big trees to grow even larger. However, because of decades of aggressive fire suppression and modern hands-off management practices, these forests have grown out of hand, creating an almost overwhelming threat of fire.

According to Forest Service estimates, approximately 40 million acres of the agency's lands are at a high risk for catastrophic fire. The cause of this fire threat is an unnatural accumulation of vegetation and small trees on western forest floors. The U.S. Forest Service estimates that the forests are 82 percent denser than in 1928. Dense undergrowth combined with increasingly taller layers of intermediate trees has turned western forests into deadly fire time bombs. Under these adverse conditions, fire quickly climbs up dense tree growth like a ladder until it tops out at the uppermost or crown level of the forest and races out of control as a catastrophic fire. Because of its high speed and intense heat, a crown fire has the capability of leaving an almost sterile environment in its wake with almost no vegetation, wildlife or habitat left behind. We must then ask ourselves, what habitat do we have left if everything in the forest burns?

Mr. Chairman, the legislation of the gentleman from Oregon (Mr. SMITH) takes a much needed first step in the right direction toward prioritizing efforts to restore forest health. This legislation prioritizes areas at greatest risk of destruction while working in compliance with all environmental laws and forest plans. It establishes an independent scientific panel to ensure that all activities are applied in a way that improves forest health using the best available science, not politics. It establishes agency accountability for on-the-ground results, and ensures fiscal responsibility by requiring annual reports to Congress, and creates independent audits of agency performance. But most importantly, this legislation creates incentives for the Forest Service to make timely, efficient management decisions before our forests burn up.

Mr. Chairman, I urge my colleagues to vote yes on the Forest Recovery and Protection Act.

Mr. STENHOLM. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. MILLER).

Mr. MILLER of California. I thank the gentleman for yielding me this time. Mr. Chairman, I would hope that we would reject this legislation. Yesterday we sat in the Committee on Resources along with our colleagues from the Committee on the Budget and the Committee on Appropriations as members sat stunned when they were told of the deficiencies in the accounting system of the off-budget funds in the Forest Service. We were told that it is some \$215 million that the Forest Service could not identify how it spends. We were told by the IG of the problems of the off-budget funds. Yet this legislation now comes along and takes money from one off-budget fund to put it into another off-budget fund. It takes it from a fund that is trying to restore the forests from all of the damages of roads and constructions and logging that has taken place in the past and now puts that in to promote salvage and thinning, a proposal that this Congress and the administration has turned down time and again. In this legislation they removed the words "salvage" because they knew they could not stand by them, but they went right back to the legislation and authorized the very same practices.

□ 1045

It is those very same practices, both financial and forestry practices, that have caused the Secretary of Agriculture to say that he would recommend to the President a veto of this legislation. It is those very same practices, both financial and forestry practices, that tell the League of Conservation Voters that they will score this vote as an anti-environmental vote.

This bill is not necessary. This bill engages us in the same old practices that have brought us the disaster on America's forests. Time and again our committee and the Committee on Agriculture and others have listened to the

scientists that told us the forests that are in the most trouble, the forests that have suffered the most damage, are those forests that have already gone through the logging. The healthiest forests, the best forests in this country, are those that have not gone through the logging, and yet this legislation would put us back into the same old tired discredited forest practices.

We should not do that in this legislation, my colleagues. We should understand that and reject this legislation.

Mr. SMITH of Oregon. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. BOEHLERT).

(Mr. BOEHLERT asked and was given permission to revise and extend his remarks.)

Mr. BOEHLERT. Mr. Chairman, I rise in opposition to this bill. I want to begin, though, by commending the chairman, the gentleman from Oregon (Mr. SMITH). As always, he has proven to be open to negotiation and has indeed made changes that do improve the bill. But I have come to the reluctant conclusion that this bill is simply too flawed to move forward. The bill just reaches more broadly than is necessary to address the forest health problems it is ostensibly designed to address.

Mr. Chairman, if the goal is to solve fire and infestation problems, we ought just to give the Forest Service additional funding and require them to begin planning projects swiftly under current rules and regulations. That is the approach we took with the Quincy Library bill which I helped negotiate, a bill which passed the House with only one dissenting vote. Instead, this bill creates an elaborate new program that could turn out to be just another logging and road building program in disguise.

Why are we so concerned about potential abuse of this program? Are we just suffering some sort of paranoia? The answer is clearly no. The salvage rider proved that programs that are supposedly designed to deal with forest health can turn out to be uncontrolled large-scale timbering programs that have nothing to do with forest health.

I am also concerned about moving ahead with bills that purport to help people but that have no chance of becoming law. I thought it was an axiom of legislating that a bill cannot help anyone if it does not become law. The administration has said in no uncertain terms that this bill would be vetoed. Every single environmental group, without exception, vehemently opposes this bill. If we are serious about solving problems on the ground, we ought to go back to the drawing board and come up with a signable bill.

I have at the ready an amendment to ensure that this program created by the bill cannot be used as an excuse to build new forest roads, and I will strongly oppose any efforts to weaken the roads language that is already in the bill. I may also offer a substitute that would turn this into a signable bill with just a few changes. I think it

is unfortunate that we are spending time voting on a bill that will be vetoed instead of passing a bill that will actually address forest health.

Mr. STENHOLM. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan (Mr. STUPAK).

Mr. STUPAK. Mr. Chairman, I thank the gentleman for yielding this time to me, and I thank him for his leadership on this bill along with the gentleman from Oregon (Mr. SMITH) for their leadership on this Forest Recovery and Protection Act, which really is a good bill that is used to address the problems of forest health in an environmentally sensitive and scientifically sound manner.

Many opponents here have argued that the bill is not needed because the problem with our forest health is just a myth. Does that mean that millions of acres are being destroyed by mythical forest fires and outbreaks of disease? I wish someone could tell me.

Know that in northern Michigan our forests are not dying from disease, and, no, our homes were not destroyed in the wildfire. It was all just a dream conjured up by the politicians in Washington. It is not. It is a reality.

The fact is that our forests are in trouble, and it is not just a problem with the forests out west. In the Great Lakes, in my district, about half of the 90 million acres of jack pine in the Hiawatha National Forest alone are highly susceptible and are being destroyed by jack pine budworm infestation.

Furthermore, a letter from the Forest Service to my office dated April 23, 1997, states gypsy moth infestations continue to be a problem for the people of the State of Michigan. In fact as we are debating here today, the gypsy moths are destroying our forests in northern Michigan.

Severe infestations can and are causing extensive damage and creating catastrophic fire conditions. In Michigan approximately 600 wild forest fires are reported each year. Michigan's Stephan Bridge fire in 1990, just 1990, destroyed 76 homes and 125 buildings in just one afternoon.

Mr. Chairman, these are real problems facing our forests, not myth. The Forest Recovery and Protection Act is a sensible approach to improving forest health. The bill adheres to sound scientific principles, is subject to all current environmental laws and land management plans, and leaves the decision with local communities by involving Federal and State foresters and local citizens in a process of identifying the risk forest areas.

I thank the gentleman from Texas (Mr. STENHOLM) and the gentleman from Oregon (Mr. SMITH) for bringing forth this legislation, and I urge all my colleagues to support this very important bill.

Mr. SMITH of Oregon. Mr. Chairman, I yield 3 minutes to the gentleman from Maryland (Mr. GILCHREST) who has been an integral part of the negotiation on this bill, and I thank him for that.

Mr. GILCHREST. Mr. Chairman, I thank the gentleman from Oregon for yielding this time to me, and I want to emphasize the word "gentleman" when I say the gentleman from Oregon, with capital letters.

Quickly, in response to one of my earlier colleagues, I have drawn a conclusion that this bill represents the best of the Quincy Library bill. The Quincy Library bill brought this House together in understanding the difficulties of managing the Nation's forests, and we passed that bill. I think this bill does the same thing.

Very quickly, I would like us to look at the big picture here. This country was founded on four very positive things: democracy, character, an endless frontier, and an abundance of natural resources. Well, our resources are diminishing quickly. Our frontier is gone. Basically what we have left to manage our resources for future generations, yes, hundreds of years in the future, is democracy and character. We have to rely on democracy and character.

What is the next frontier? It is an intellectual frontier. An intellectual frontier means we have to put aside rancorous debate, personal prejudices, sit together and discuss these issues in as intelligent a manner as is possible so that we can manage those few remaining resources for generations to come.

Can we sustain logging, mimic nature and protect biological diversity? Yes, we can. Do we have the knowhow? Yes, we do. How do we implement that knowhow? The first step to implementing that particular skill is through this bill. Is this bill based on the best available scientific data? Absolutely without question. Does this bill protect all environmental regulations? Absolutely without question.

What are some of the things this bill does? It goes in and finds those areas of the riparian places in our national forests that are damaged, and we will fix them. Soil stabilization, water quality improvements, thinning, habitat improvement, et cetera, et cetera et cetera; this bill does that.

The chief of the Forest Service said 35 to 40 million acres are in danger of catastrophic fire, soil erosion, habitat loss. So what do we do? Do we come up to the plate and respond? The answer is yes.

This is not about forest roads, it is not about commercial logging, it is not about clear-cutting. This is about funding a recovery program for our Nation's forests.

Is this bill more positive than negative? That is the question. More than we can ever know at this point, this bill is positive, and I urge my colleagues to vote yes.

Mr. STENHOLM. Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota (Mr. VENTO).

(Mr. VENTO asked and was given permission to revise and extend his remarks.)

Mr. VENTO. Mr. Chairman, I rise in opposition to the bill. This measure is predicated on a false premise, and that is that there is a crisis. The fact of the matter is that the problems that persist in our national forests today have persisted for some time, and the fact is that as the forest chief had pointed out in his testimony before the committees that had hearings on this, that this sort of concept of cutting it to save it is inappropriate and ineffective.

The causes of what today is stated as forest health are many. Part of it is the fact that we have high-graded and put inroads and in fact suppressed fires in many cases, and then there has been some fuel buildup. That is not going to be solved by cutting down trees in the selected areas. In fact, many other problems have persisted in terms of urban interface where people have built, in the forest safety questions persist. Cut down one area, you have fire in another. So this bill and harvest clearly is not the answer.

No, the Forest Service has the tools to deal with forest health today. The fact is, as I said, this issue has built up over many decades. A 5-year program is hardly even a start. The fact is that this has to be premised and placed in the responsibilities today of the total Forest Service, not just in this narrow bill that we have before us. And I suggest as my colleagues go through the details of this bill and look at the requirements, there are a couple of requirements that stick out that are not now the basis on which the Forest Service Policy and Law functions.

One, this legitimizes the low-cost sales, so the fact is when one goes into an area and makes the sale, the predicate is instead of just the forest health treatment, we know a lot of issues do not make money, but this justifies further below-cost sales. That is what it does. Notwithstanding that, that is not a consideration in this particular bill. That is a requirements of this bill.

The other is that it suggests that we look at what the economic impact is on the community, and I think that that is an important issue. We are all concerned about helping our constituents, but not at the expense of the public taxpayer, not at the expense of losing our forests.

The bottom line here is we are going to lose the forest and we are going to pay money to do it in terms of the taxpayer. I urge Members to reject this bill.

Mr. STENHOLM. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. HINCHEY).

Mr. HINCHEY. Mr. Chairman, I thank the gentleman for yielding this time to me.

This bill is not needed to address real problems of forest health. The Forest Service has now authority to take actions that are needed, such things as prescribed burns, thinning, et cetera, where the health of the forest requires it and where there is a risk of wildfire. The bill would establish a new, cum-

bersome, bureaucratic administrative process that is not needed.

The Forest Service financing methods and accounting systems have long been a subject of criticism. Yesterday, a joint hearing looked into those issues. What we found was that there were problems, but the Forest Service is cleaning up that mess. This bill would impede that process and make matters worse.

First, it would divert money from a road and trail maintenance fund at a time when the service has a huge maintenance backlog, \$10½ billion, and put it into a new recovery trust fund not subject to appropriations. The fact that that is not subject to appropriations should set off a warning bell for every Member of this House. How will that money be used? Who will scrutinize it? What is the potential for abuse and mismanagement?

Under the bill, any revenue from timber sales conducted under this plan will be turned over to the States, not to the Federal Treasury. This is a giveaway of Federal resources and Federal money, money earned from land that is owned by all the people of this country. Imagine if all the revenue from the Customs levees at New York were turned over to the State of New York. That is essentially what is happening here.

We have heard that the bill has been changed to reflect expressed concerns about environmental impacts. It has indeed been changed at the last minute so that few people have had much time to examine the new text, but the changes have not in any way satisfied environmental concerns. Although most of the references to salvage have been removed from the bill, the substance has not changed. The bill is based on the premise that the best way to protect the forest health is to cut the forest down. The new improved bill not only allows cutting in roadless areas, cutting of large old-growth healthy trees, but it authorizes cutting in the name of so-called recovery if forest problems are merely anticipated or that somebody thinks there might be a problem at some time in the future.

□ 1100

These practices are obviously ridiculous. They would not be limited to the size of the forest either. These are just some of the reasons why this bill creates bad public policy and should be defeated.

Mr. SMITH of Oregon. Mr. Chairman, I yield 3 minutes to the gentleman from northern California (Mr. DOOLITTLE).

Mr. DOOLITTLE. Mr. Chairman, I rise in strong support of the SMITH bill, the Forest Recovery and Protection Act of 1998. Let me assure my colleagues that our forests are in danger. They are not in danger due primarily to the existence of the forest roads, which facilitate the proper management of the forest, they are in danger from the disastrous policies that have been pursued just in the last few years.

But, indeed, we could go back over several decades and look at the cumulative impact of the way we have suppressed fires and allowed the tremendous buildup of fuel in the forest.

These forests have to be managed. The forests we think of as the idyllic version back during the days of John Muir were, in fact, managed forests. We need to act now. The gentleman from Oregon (Mr. SMITH) is right, this is a critical point.

The greatest single danger to our forests, at least in California, is the threat of catastrophic wildfire. We learned in testimony the other day from the Forest Service and from other experts in forestry, a couple of very interesting facts.

Fact number one, for every live tree that is harvested during a year, there are three dead trees in the forest. Fact number two, we add each year to the forest four to five times the amount of board feet of timber as we harvest.

Our forests are choked with overgrowth. Just like in our garden, we get to a point with overgrowth, and we start crowding out the desirable species. We start crowding out life for a lot of the plants that are growing there. What we get is a tremendous potential for forest fire. We need to adopt the Smith bill. We need to treat now while we can the issue of the overgrowth and render safer our forests.

Let me tell my colleagues, in my district, we had a catastrophic forest fire several years ago, the Cleveland forest fire. To this day, the hills are barren. There are tremendous problems with erosion. Let me assure my colleagues, if they care about the environment, they will support this legislation.

The devastation that occurs from a catastrophic forest fire exceeds any devastation caused by other forms of forest management activity. There is no comparison. For that reason, we must have the Smith bill. The condition of our forest demands it. I strongly urge my colleagues' support for this legislation.

Mr. STENHOLM. Mr. Chairman, how much time do we have remaining on both sides?

The CHAIRMAN. The gentleman from Texas (Mr. STENHOLM) has 14½ minutes remaining, and the gentleman from Oregon (Mr. SMITH) has 4½ minutes remaining.

Mr. STENHOLM. Mr. Chairman, I yield 2 minutes to the gentlewoman from Colorado (Ms. DEGETTE).

Ms. DEGETTE. Mr. Chairman, I rise in opposition to this bill. While I agree that some of our forests are in trouble, I actually think this legislation could increase that trouble. The legislation before us has been presented as a compromise, but this compromise does not in any way address the fundamental flaws that still exist in the bill.

The bill sets up a quick and dirty review process in which timber is harvested under the guise of improving forest health. Proponents have trumpeted this legislation as based on

science. Yet, no scientific consensus exists for the perceived forest health crisis. In fact, over 100 scientists have signed a letter which directly disputes this assertion.

Currently, the Forest Service has the authority to undertake restoration work on particular forests. Yet, this bill would take that ability away, because it uses forest health as an excuse to increase commercial logging by minimizing forest analysis and determining the appropriate value of the land. It sets up a separate account to pay for this forest health program, following \$30 million of receipts to the States.

The current recipient of these funds, the Forest Service, estimates that a repair backlog of \$10 billion exists for maintenance needs. These funds are needed to address legitimate and substantial ecosystem maintenance needs, such as removing old roads that are degrading water quality and degrading our forest. Yet, under this bill, the Forest Service would not have access to these much-needed funds, and the diverted money would allow States to build new roads for the purposes of logging.

Finally, this legislation does not forbid the use of money for new temporary roads. So under the guise, again, of forest health, this bill could open up wide tracks of currently unspoiled forests to logging, wreaking havoc on wildlife and decimating forests for decades to come.

Mr. Chairman, building these roads will not increase our forest health, it will erode it; and for that reason, I urge a no vote on this legislation.

Mr. STENHOLM. Mr. Chairman, I yield 2 minutes to the gentlewoman from Michigan (Ms. STABENOW).

Ms. STABENOW. Mr. Chairman, I am a member of the House Committee on Agriculture, and I realize the hard work that has gone into this legislation. But I must, despite my great respect for the chair and the ranking member and the hard work they put in, I must rise today to oppose this bill. For many of the reasons that my colleagues have indicated, it is fundamentally flawed.

We have three wonderful national forests in Michigan. Yes, there are management issues that need to be addressed, but they can be addressed. They need to be addressed in ways that do not include the fundamental process under this bill.

What we have here is a Forest Preservation and Recovery Act that authorizes money-making activities that could actually hurt the forests. Underneath all of today's discussion about forest health, land management, scientific panels of experts, and environmental stewardship is actually a money-generating provision that harbors the potential to do great harm to our forests.

As has been indicated, the basis of the bill is a provision that permits commercial timber sales. The philo-

sophical assumption in the bill is that it is okay to cut down trees to save trees; and I believe that that is wrong.

In addition, by establishing an off-budget source of money, the incentives are even greater for the USDA and the Forest Service to seek revenue that is free of the appropriations process. I believe the management of our most endangered forest should be subject to the oversight of Congress, not an off-site revolving fund.

So as long as the bill contains this provision where we are saying that, in order to preserve and protect, we must cut down, this is not the kind of provision that makes sense. It does not make sense for Michigan forests. It does not make sense for the country.

With this provision in it, I cannot support the bill, and I would urge my colleagues to vote no.

Mr. STENHOLM. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. ESHOO).

Ms. ESHOO. Mr. Chairman, I rise in opposition to the Forest Recovery and Protection Act of 1998. This legislation is reminiscent of the infamous salvage logging rider which suspended all environmental safeguards to increase logging on every national forest for 18 months on the grounds that it would improve forest health.

I take issue with the bill's definition of forest health. The author of the bill would have us believe that there is a forest health crisis and that the only way to alleviate the scourge that this crisis will cause is for increased logging.

A group of scientists from universities across the country, including the home State of the author, have come out in opposition to the bill and have stated that there is no scientific consensus that commercial logging is a cure for particular problems to individual national forests.

Furthermore, the National Forest Service has recently concluded that the Nation's forests are generally in a healthy condition. While each region does have a variety of health concerns in need of attention, a listing of these concerns should not be interpreted as a description of forest health crisis.

I introduced the Act to Save America's Forests, and it is endorsed by over 500 scientists, and it defines forest health as a forest which has a broad range of native biodiversity. It would protect native biodiversity in our Federal forest lands by abolishing clear-cutting in Federal forests. It would ban logging and road building in remaining core areas of biodiversity in Federal forests. It would protect the less than 10 percent of original unlogged forests in the United States.

The bill before us today, Mr. Chairman, is overly broad in its definition of areas in need of recovery. It does not, unlike my bill, make roadless areas off limits to logging. It lacks a clearly defined limit on how recovery areas would be managed, and it limits citizen participation by giving the Forest

Service broad discretion to take shortcuts through environmental laws.

Mr. Chairman, I urge my colleagues to oppose this legislation.

Mr. SMITH of Oregon. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, what we have heard is a myth. Nothing about this bill coordinates with any of these speeches that we have heard. The public is invited twice in this bill to state their opinion.

We have a scientific panel of the finest academicians in the United States, 11 of them, and they must be hydrologists, wildlife biologists, fisheries biologists, entomologist or pathologist, fire ecologist, silviculturist, economist, soil scientists, and the State forester. Does that sound like some sort of effort to, in the name of salvage, to cut down the forest?

Mr. STENHOLM. Mr. Chairman, I yield 2 minutes to the gentlewoman from New York (Mrs. MALONEY).

(Mrs. MALONEY of New York asked and was given permission to revise and extend her remarks.)

Mrs. MALONEY of New York. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I rise in opposition to the Forest Recovery and Protection Act. This bill starts with the assumption that our national forests are sick and diseased and, as a result, need more clear-cutting.

This assumption is a myth. There is no direct scientific evidence that our national forests are suffering from excessive amounts of dead or diseased trees. Tree mortality remains well below 1 percent of live tree volume throughout the country. This rate has not changed in 40 years.

The bill attempts to save our public forests by cutting them down. In my book, cutting down a forest does not save a forest. This mentality reminds me of the idea behind the timber salvage rider we passed last Congress. Proponents of the timber salvage rider claimed it would improve forest health. Well, the trees were cut, but the proponents of the Forest Recovery and Protection Act claimed we still have a forest health crisis.

What we found was that the type of logging advocated in this bill will create problems rather than solve them. Mr. Chairman, 95 percent of America's original forests have been cut down. Just 5 percent remains standing, mostly on Federal lands, which is owned by the American people.

Logging under the timber salvage rider upset forest ecosystems by draining the soil of important nutrients. It weakened the land, creating the potential for dangerous mud slides.

Instead of this legislation, Congress should be working on the forest restoration bill like the one that my colleague just mentioned, the Act to Save America's Forests. This legislation would improve forests by prohibiting clear-cutting and even aged logging and other abusive practices on Federal land. It would all save hundreds of millions of road building subsidies and prevent dangerous mud slides.

The Act to Save America's Forests would effectively shift our forest management focus from corporate profit to protection and nurturing of our rare and natural resources.

Mr. STENHOLM. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. TURNER).

Mr. TURNER. Mr. Chairman, I rise in support of the Forest Recovery Protection Act, and I thank the gentleman from Oregon (Mr. SMITH), chairman, and the gentleman from Texas (Mr. STENHOLM) for their leadership on this issue.

I represent a district in east Texas that has four national forests. In fact, all of the national forests that are in Texas are located in the 2nd Congressional District. I understand full well the threats that our forests, our national forests, face today from mismanagement and lack of proper management. I think this bill takes a major step forward in ensuring that we will apply sound management practices to our national forests.

We have a battle ongoing in this country between the environmentalists and those who support the sound forestry management practices and preservation of the forest. That really is somewhat irrational because we all believe in the same thing.

The main difference is those of us who support this legislation understand that trees are renewable resources and that we cannot have a sound forest management plan unless we have the tools necessary to manage those forests.

This bill does not disturb any of the wilderness areas that are specified by existing law. In fact, it changes nothing about existing laws that protect our forests. It is a bill designed to ensure that those forests are there for the future.

I appreciate the fact that this bill dedicates the small revenues that will come from the proceeds of any sales on the Forest Recovery Act management practices to the counties and the school districts who depend upon those funds for their school districts for their children and to be sure that the agreement that has been long-standing between the counties and the school districts that have national forests in the Federal Government are maintained.

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Because when national forces were created they took property off the tax rolls of those local counties, and it is appropriate that those counties receive some remuneration under the provisions of the bill which they do.

I commend this bill to the House, and I thank the gentleman from Oregon (Mr. SMITH) and the gentleman from Texas (Mr. STENHOLM) for their leadership.

Mr. SMITH of Oregon. Mr. Chairman, what time remains, please?

The CHAIRMAN. The gentleman from Oregon (Mr. SMITH) has 4 minutes remaining, and the gentleman from

Texas (Mr. STENHOLM) has 4½ minutes remaining.

Mr. SMITH of Oregon. Mr. Chairman, I yield 2 minutes to the gentleman from Montana (Mr. HILL).

Mr. HILL. Mr. Chairman, I want to join with others in commending the gentleman from Oregon (Mr. SMITH), the chairman of the Committee on Agriculture, and the ranking member for bringing forward this bipartisan and common-sense proposal.

Mr. Chairman, we need healthy forests, and all the experts agree that the public forests in the United States are in a serious and unhealthy condition. Unhealthy forests create significant fire hazards, and in the post-El Nino period that we are about to experience in the West, those are dry conditions, and we have unprecedented buildup of fields in these forests, and the fire hazards are extraordinary.

I want to point out to my colleagues that the fire hazards today in the West are significantly higher than they were 10 years ago while Americans watched as Yellowstone Park burned up. Catastrophic fires, Mr. Chairman, scar the landscape, they erode critical topsoils, they destroy wildlife and their habitat, and they destroy critical spawning areas. We cannot save the forests by burning them down; we save them by managing them, and that is what the goal of this legislation is.

Mr. Chairman, I have heard in this debate that this group or that group is going to score our votes. Mr. Chairman, it does not matter to me how those groups in Washington score my vote today, it is how the people in the Northwest and the people in western Montana score my vote. It is their communities that are at risk of destruction. The sportsmen and women and fishers and campers and hikers and berry pickers, they are going to be scoring this vote because they want healthy forests, because catastrophic fires are going to destroy their opportunities to use and enjoy these forests.

Mr. Chairman, I urge my colleagues to support this bill, protect the environment, enhance wildlife, protect our streams, save our communities, vote "yes" on the Forest Recovery and Protection Act.

Mr. STENHOLM. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. BROWN).

Mr. BROWN of California. Mr. Chairman, I thank the gentleman for yielding me this time. I have a little bit more to say than I can say in this amount of time, but I may take a little time under the 5-minute rule to speak further.

First, I want to commend the work that has gone into this bill. I know how hard the chairman and the gentleman from Texas (Mr. STENHOLM) have worked on it. I appreciate their point of view. I do not agree with them, but I think that they have made every reasonable effort to accommodate differences, and I want to commend them for doing that.

Mr. Chairman, my experience with the forest goes back quite a ways. I have been on the Committee on Agriculture for the last 25 years, and I have been a member of the Subcommittee on Forestry, Resource Conservation, and Research for many of those years. In my opinion, we established the proper framework to protect the health of the forests with the Forest Management Act of 1976, I think it was. Unfortunately, that act was never adequately administered under the Reagan-Bush years, and the purpose of the Forest Service seemed to be to maximize the amount of timber that was cut, rather than to manage the forests for forest health and for multiple use, which is incorporated in the act, as well as adequate provisions to protect all of the users and protect the health of the forests.

We do not need this bill if we would merely utilize the existing authorities, which I do not think that we have adequately; and since we do not need it, it is not my intention to support it. Frankly, I think the reason for introducing the bill is to make it easier to cut the forests, which is not an ignoble goal, and I sometimes share it.

I think that we have to be extremely prudent. In California, our forest ecosystems are not healthy. They need to be managed to restore their health. That management does not consist of cutting any more timber off of those forests, but it includes a much more sophisticated approach, based on a whole-ecosystem type of management that we have not been getting.

In my own district we have forest areas which have been completely destroyed, and they are getting worse, not better. I would like to see us do something about it, but it is not going to consist of increasing the amount of logging that we are doing there.

Mr. Chairman, for these reasons, I would like to continue to work on the committee and with the administration, which opposes this bill, as I presume has been mentioned, to strengthen the existing management for the creation of healthy forests and for agreeing on some appropriate level of logging which will contribute to the health of the forests and to the economy of the regions. I think a good deal of what is driving this bill is that increased logging is important to the economy of the region in many cases, and that is driving action that I think is inappropriate over the long run.

The CHAIRMAN. Each side has 2½ minutes remaining.

Mr. STENHOLM. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, the gentleman from Texas (Mr. TURNER) a moment ago made an observation that I hope was not lost on the House. The gentleman stated that forest trees are a renewable resource. The intent of this legislation was to recognize that in the same spirit the gentleman from California (Mr. BROWN) just spoke in recognizing that there are differences of opinion.



Many times, I have come to the floor on agricultural bills in which the same, much of the same opposition to science-based agricultural production practices are opposed by those who believe that somehow, some way, we can produce the abundance of food and the quality of food and the safety necessary of food supply at the lowest cost to our people of any other country in the world and do it without science and technology.

The same is true for our forests, the idea that we should not use the best science available in order to preserve and protect and utilize a renewable resource, because we will hear many times this year the importance of housing. It is awfully important to a housing industry that we have a reliable supply of timber.

Mr. Chairman, I would just make one other observation. The House Committee on Agriculture, under the leadership of the Chairman, invited all interested parties to participate in this discussion and debate. It was interesting that the National Wildlife Federation, the Defenders of Wildlife, the Environmental Defense Fund, the Western Ancient Forest Campaign, the Sierra Club declined to participate in the hearings or participate in discussions of how to make this bill different or better.

Those who did participate and made a better bill that we bring to the floor today included the Northern Forest Lands Council, the Rocky Mountain Elk Foundation, the Black Bear Conservation Committee, the Nature Conservancy, the American Forests, the International Association of Fish and Wildlife Agencies, the Ruffed Grouse Society, the Wildlife Management Institute, and the Wilderness Society.

Now, to those I appreciate very much their participation in crafting this bill, controversial to say the least, but making it in a way in which we can preserve and protect our forests, and make certain that a renewable resource will be there for the best interests of all of the American people.

I encourage the support of this legislation.

Mr. SMITH of Oregon. Mr. Chairman, I yield 2 minutes to the gentlewoman from Wyoming (Mrs. CUBIN).

Mrs. CUBIN. Mr. Chairman, I rise in support of the bill, and I too commend the gentleman from Oregon (Mr. SMITH), chairman of the committee, and the gentleman from Texas (Mr. STENHOLM) for the hard work that they have done on this bill.

The legislation before us today is one way that we truly can actually do what we need to do and what we all want to do, and that is have healthy and productive forests.

Like the gentleman from California (Mr. BROWN) who preceded me, for whom I have the utmost respect for his experience in forestry and his service on the committee, I too have extensive experience when it comes to forests and forest health. I live in a district, I represent the entire State of Wyoming,

and I live in a district and visit the forests about twice a month. I have flown over the forests in helicopters, and I have seen the national forests that have so much dead timber in them that it caused the chief of the Forest Service, Chief Dombeck, to say this, and I quote, that there are 40 million acres of Forest Service land that, in his words, "are at an unacceptable risk of destruction by catastrophic wildfire." This is true. This is a real threat. It not only threatens human lives, but it threatens animal habitat.

The only way we can deal with this problem is to manage the forests. We all want a healthier, we all want healthy forests. The insect infestation that causes dead trees can be controlled if we allow logging to be done. I do not think anyone has heard anyone over here say we want to clear-cut the forests; that is a thing of the past, we do not want to do that. But we want scientists, we want those Forest Service people who are on the ground to be able to produce timber from the forests when they think it is the scientifically healthy thing for the Forest Service to do; and they at this time cannot do this.

We need this legislation. It is time that we push the Forest Service into action to harvest this timber to make our forests healthy and beautiful for recreation for people and for the animal wildlife.

Mr. SMITH of Oregon. Mr. Chairman, I yield myself the remainder of the time.

Mr. Chairman, I just wanted to extend my gratitude to the gentleman from Texas (Mr. STENHOLM), and to the gentleman from Maryland (Mr. GILCHREST) and to many on the minority side and many on this side who have really made an effort to step forward and create a bill that is truly designed to take care of the forest health of America. To those people I extend my heartiest congratulations, and I thank them immensely for their efforts.

Ms. PELOSI. Mr. Chairman, make no mistake—there's nothing healthy about this bill. It's "managed care" gone off the scale.

HR 3530 would encourage further destruction of our national forests by encouraging logging, limiting public participation in the process and exploiting some of our most environmentally sensitive forest areas. We have been through this debate. The rationale in HR 3530 is the same rationale used in the "Salvage Logging Rider" which had devastating effects on forests in the name of "forest health." It was a mistake then; it is a mistake now.

The U.S. Forest Service has already confirmed that the "forest 'health' crisis this bill purports to address does not exist. It is simply another excuse for salvage logging that will permit logging of old growth forests and transfer money from road and trail maintenance to unnecessary logging activities. Currently, there is a \$10 billion backlog in road maintenance throughout our national forests. It does not make sense to defer this spending and embark on a frivolous logging program.

In addition to this, the bill actually creates an incentive for logging by setting up a special

forest management fund that would be fed by the sale of commercial timber. The more trees you cut in the name of "forest health"—the more revenues deposited in the account. We do not need another fund. In the bill, it is "available without further appropriation"—a determination that should be made by the Appropriations Committee in its review of funding for the Forest Service.

Over 100 scientists have registered their opposition to this bill. One of them is quoted: "The Forest Recovery and Protection Act of 1998 is a stealth attack on natural resources in the guise of 'forest health.'" Another states: "The Forest Service already has the authority to undertake these appropriate activities \* \* \* new legislation that provides a broad mandate to institute 'recovery projects' on potentially very large national forest areas is not needed."

The Administration opposes this bill. A letter from Agriculture Secretary Glickman states: " \* \* \* the Forest Service would be much better served by continuing its program for improving forest resources using its existing authorities rather than be encumbered by this bill's controversial provisions and lengthy and costly processes."

Secretary Glickman's letter concludes with: "I share your broad goal of improving our forest resources, but the Administration strongly opposes this bill; it would curtail important environmental and administrative laws, create a tremendous bureaucratic burden, and ignite another round of controversy over salvage and forest health operations."

Mrs. EMERSON. Mr. Chairman, I rise in strong support of H.R. 2515, the Forest Recovery and Protection Act. I am pleased to be an original cosponsor of this bill, a bipartisan measure that reflects sound and scientific management of our national forests. Furthermore, I would like to make note of the tremendous efforts of the author of this bill, Chairman of the Agriculture Committee BOB SMITH. Chairman SMITH has conducted extensive hearings to review the health of our forests and has reached out to those holding different viewpoints. His steady, informed leadership on this critical issue is to be commended.

H.R. 2515 recognizes that the long term well-being of our forests depends on active, not passive, care and protection. As the Agriculture Committee heard from scientists and professional foresters in recent hearings, active management measures are vital to sustaining the health of a forest. Without these measures, forests become vulnerable to insect infestation, disease, and fires, and in fact this has already occurred in many of our forests across the country. H.R. 2515 will provide the Forest Service with the necessary tools and scientific input to manage our national forests in the most responsible way.

A key point that I would like to make is that this bill helps us achieve all of the environmental, economic, and recreational goals that we have for our forest lands. By looking out for our forests, we are looking out for the sportsmen, the local timber businesses, the wildlife, and everyone else who benefits from this wonderful natural resource. H.R. 2515 represents a commitment to keeping our national forests healthy and strong for the long term.

I urge a firm yes vote on H.R. 2515.

Mr. MORAN of Virginia. Mr. Chairman, I rise in opposition to the Forest Recovery and Protection Act (HR 3530).



The bill, introduced by House Agriculture Chairman BOB SMITH (OR), creates a five-year national program allowing the Secretary of Agriculture to identify and pursue an unlimited number of "forest health recovery areas and projects" within the National Forest Service. That means that logging of our National Forests could occur anywhere in the National Forests without any limits on the number or sizes of the logging projects.

This bill would allow unlimited clearcuts, invasion and logging of roadless areas and cutting of old growth forests.

This bill reduces the level of agency review and public comment to a level significantly lower than protections provided by the National Environmental Policy Act.

The bill creates an off-budget fund in which 100% of the receipts from logging projects would go to the local counties to fund schools and roads. By linking funding for local projects to logging, this off-budget fund will create enormous and inappropriate financial incentives for the Forest Service to pursue logging projects in every National Forest. If this bill is passed, we can soon expect public school teachers coming to Congress to lobby for more logging projects so that they can teach school.

The off-budget fund that this bill would create within the Forest Service would bypass the Appropriations process. The off-budget fund would be completely unaccountable to Congress and mirror problems found in the existing Salvage Fund, Knudsen-Vandenberg and Brush Disposal Funds.

This bill attempts to correct a forest health crisis that the USDA and environmental groups say does not exist. The recommendations of this bill are based on pseudo-scientific research and questionable conclusions.

This bill is opposed by Democrats, Republicans, environmental and religious groups. Environmental groups (more than 100 groups including Sierra Club, League of Conservation Voters, Friends of the Earth, PIRG, Kettle Range Conservation Group, Western Ancient Forest Campaign) and religious groups (Presbyterian Church, United Methodist, Reform Judaism) have contacted my office in opposition to this bill.

This bill would eradicate environmental protections provided by the National Environmental Policy Act, Endangered Species Act and Clean Water Act.

The American public does not support this bill. A clear majority of Americans nationwide oppose commercial logging in National Forests.

President Clinton has already said that he will veto this bill.

I urge you to vote no on H.R. 3530.

Mr. PORTER. Mr. Chairman, reluctantly, I rise in opposition to this legislation. The Chairman of the Committee, Mr. SMITH, and his staff have been extremely patient in working to address my concerns and I am disappointed to not be able to support the end result. I understand that the Chairman is trying to improve the management of our national forests but I do not feel that this bill provides the best means.

I believe the substitute amendment to the bill greatly improves the public participation and the environmental review of the recovery areas and projects authorized in the bill. Specifically, the public comment and notice periods added to the recovery area designation

phase will provide an important opportunity for interested parties to provide input on those areas designated for potential treatments. In addition, the extended time periods for identification of recovery projects by the regional forester will guarantee the application of all relevant environmental laws to be sure that the health of the entire project is considered before implementation of treatments.

While I do not support the concept of off-budget funds, I am pleased with the additional safeguards that the Committee has added for the oversight of the Forest Recovery Fund authorized in this bill. In one of the first drafts of this legislation, any funds generated by recovery projects were deposited back in the Fund established by this bill. I raised concerns that this process would provide incentive for projects to be revenue generating instead of promoting a treatment that, while more appropriate to improve the health of the forest, would operate at a cost. The Committee worked tirelessly to address this concern and, in the end, I believe that this money should simply be sent back to the General Fund of the Treasury.

My remaining concerns with this legislation are the use of this bill's funds for the construction of roads, either permanent or temporary, and the lack of protection of roadless areas. These concerns are obviously directly linked. I am not against all road building in our national forests. However, the \$10 billion backlog in road maintenance and obliteration estimated by the Forest Service for the transportation system within our national forests is a crisis in its own right. The solution to this need is not the construction of more roads. Further, and I realize that there is disagreement on this issue, I believe that roadless areas provide important habitats and are imperative in maintaining balance in ecosystems and should therefore, be left undisturbed. The areas of the national forest system in greatest need of attention are those that are in close proximity to urban centers and areas that have not been properly managed after resource extraction. Since the program authorized by this legislation is only for five years, I believe that these areas in urgent need should be highlighted as a priority and roadless area left untouched.

Again, I want to thank my colleague from Oregon for his extensive discussions with me on this legislation. I hope that such negotiations will continue in the future as we discuss other legislation pertaining to the management of our nation's forests.

Mr. BLUMENAUER. Mr. Chairman, I rise today in opposition to H.R. 3530, the Forest Recovery and Protection Act. First, I would like to commend my colleague Rep. SMITH for his efforts to reach a compromise and his willingness to make some pretty significant changes to his original proposal. While the revised version of the legislation does not address all my concerns, I did want to take a moment to recognize Rep. SMITH and his staff have really made an effort to accommodate a number of the issues that have been raised.

Despite the revisions, however, I still remain deeply concerned about the impact of this legislation on our Nation's forests, as outlined below.

Is the legislation necessary? Scientists disagree strongly as to the current status of our forests. While I don't feel qualified to pick and choose between scientific assessments of forest health, I do feel comfortable in my under-

standing that the Forest Service already has the authorization to undertake recovery projects along the lines of those proposed in this legislation. No one has adequately demonstrated to me that our forests are in such a deplorable state that the type of dramatic expansion of Forest Service authority as proposed in the bill is necessary.

Will the proposed prescriptions do more harm than good? Under the bill, a recovery project is defined in a variety of ways, including options I strongly support, such as riparian restoration, soil stabilization and water quality improvement, and seedling planting and protection. However, also included are projects such as the removal of trees to improve stand health by stopping or reducing actual or anticipated spread of insects or disease. Although I do understand that in some cases, removal of trees can be a good prescription for forest health, this particular option strikes me as very open-ended—especially the suggestion that trees should be removed to stop the anticipated spread of insects or disease. What if we're wrong as to the spread of insects or disease? Once the trees are gone, it is impossible to put them back.

In addition, while I appreciate Rep. SMITH's efforts to ensure that recovery projects could not take place in wilderness, riparian, or old growth areas, the bill, in my opinion, still leaves open the possibility that entire forests could be designated for intrusive and environmentally harmful recovery projects. It simply does not limit the size or scope of these proposed actions.

Is there sufficient time available for public comment and review of recovery projects? The time frames in this bill are very tight, especially considering the unlimited magnitude of the possible projects. The Secretary has only 210 days to propose standards and criteria, and only 45 days are allowed for public comment on the proposed standards. The Secretary then has only 30 days to assimilate the comments and issue final regulations. If we are to ensure that our actions actually improve the health of our forests, we must allow more time for analysis of the standards.

Are there built-in incentives for recovery projects that remove trees? By focusing efforts on options that are highly "cost-effective" and designating revenues from the recovery projects would go directly to the states, the legislation skews recovery prescriptions toward those that generate revenues. The revenue provision, in particular, builds in an incentive for State foresters (who must be consulted under this proposal) to suggest prescriptions that would provide revenue.

Is the Scientific Advisory Board sufficiently oriented toward true Forest health? Under the proposal, the SAB is divided equally between individuals with natural science expertise who are leaders in the field of forest resource management, and state foresters who are versed in forest resource management. Obviously, this puts emphasis on those individuals who actively manage the forests, as opposed to those who might focus more on preservation. In addition, I am somewhat concerned about the politicized appointment process outlined in the bill. This could lead to less qualified individuals being members of the board, as well as an extremely slow selection process.

Concerns on Advanced Recovery Projects. The bill also allows for the selection of Advanced Recovery Projects, within 30 days after

the enactment of the act. I am very concerned that this provision could allow for implementation of large scale recovery projects in a variety of forests with very little scientific or public review. Again, once we have cut down the trees in the name of forest health, only Mother Nature can bring them back.

Concerns on financing of the projects and roadless areas. Financing for these recovery projects would be provided through annual Congressional appropriations and unobligated amounts in the roads and trails funds. Given the \$10 billion backlog of road maintenance needs, I am not convinced that these recovery projects would be the best use of these funds. In addition, I am deeply concerned that while the forest recovery fund does limit the use of funds for new permanent roads, there is no limitation on the building of temporary or even semi-permanent roads—even in roadless areas.

Mr. Speaker, again I recognize that Mr. SMITH has really made an effort to craft a bill to which we all can agree. This is not that bill. For the reasons outlined above I will oppose H.R. 3530, and I urge my colleagues to do the same.

Mr. SHAW. Mr. Chairman, I rise today in support of H.R. 2870, the Tropical Forest Conservation Act.

Despite international conservation efforts, clearcutting and logging are occurring in tropical rain forests at an astonishing rate. While I am aware of efforts and plans to replace these trees by replanting, I saw no such activity when I visited the Republic of Congo in 1997. Clearcutting of rainforests is particularly tragic because tropical rainforests, with their dense growth and high biodiversity, are home to the greatest number of species of any ecosystem on earth. The majority of these species have yet to be even identified. Moreover, humankind has barely scratched the surface of the uses and medicinal properties of those plants and animals we have already identified. Unchecked logging threatens the existence of thousands of species.

Mr. Speaker, because of my trip to the Republic of Congo, I see the urgent need for legislation such as H.R. 2870. This "debt-for-nature" exchange would empower developing countries to fight to protect these vital forests against extreme logging practices. Because of the economic status of these developing countries, it is unlikely that the U.S. would ever see these debts repaid. This legislation ensures that the American people get something in return for their generosity.

Mr. Speaker, I urge my colleagues to support the Tropical Forest Conservation Act.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the order of the House of Thursday, March 26, 1998, the amendment in the nature of a substitute consisting of the text of H.R. 3530 is considered as an original bill for the purpose of amendment and is considered read.

The text of the amendment in the nature of a substitute is as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Forest Recovery and Protection Act of 1998".

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings.
- Sec. 3. Definitions.
- Sec. 4. National Pilot Program of Forest Recovery and Protection.
- Sec. 5. Scientific Advisory Panel.
- Sec. 6. Advance recovery projects.
- Sec. 7. Monitoring plan.
- Sec. 8. Forest Recovery and Protection Fund.
- Sec. 9. Authorization of appropriations.
- Sec. 10. Audit requirements.
- Sec. 11. Forest inventorying and analysis.

#### SEC. 2. FINDINGS.

Congress finds the following:

(1) There are tradeoffs in values associated with proactive, passive, or delayed forest management. The values gained by proactive management outweigh the values gained by delayed or passive management of certain Federal forest lands.

(2) Increases in both the number and severity of wildfire, insect infestation, and disease outbreaks on Federal forest lands are occurring as a result of high tree densities, species composition, and structure that are outside the historic range of variability. These disturbances cause or contribute to significant soil erosion, degradation of air and water quality, loss of watershed values, habitat loss, and damage to other forest resources.

(3) Serious destruction or degradation of important forest resources occurs in all regions of the United States. Management activities to restore and protect these resources in perpetuity are needed in each region and should be designed to address region-specific needs.

(4) According to the Chief of the United States Forest Service, between 35 and 40 million of the 191 million acres of Federal forest lands managed by the Forest Service are at an unacceptable risk of destruction by catastrophic wildfire. The condition of these forests can pose a significant threat of destruction to human life and property as well as to the habitat for fish and wildlife (including threatened and endangered species), public recreation areas, timber, watersheds, and other important forest resources.

(5) Restoration and protection of important forest resources require active forest management involving a range of management activities, including thinning, salvage, prescribed fire (after appropriate thinning), sanitation and other insect and disease control, riparian and other habitat improvement, soil stabilization and other water quality improvement, and seedling planting and protection.

(6) Many national forest units of the National Forest System have an increasing backlog of unfunded projects to restore and protect degraded forest resources. Adequate funding, structured so as to maximize the allocation of monies for on-the-ground projects, is needed to address this backlog in an efficient, cost-effective way.

(7) A comprehensive, nationwide effort is needed to restore and protect important forest resources in an organized, timely, and scientific manner. There should be immediate action to improve the areas of Federal forest lands where serious resource degradation has been thoroughly identified and assessed or where serious resource destruction or degradation by natural disturbance is imminent.

(8) Congress and the Comptroller General have identified the need to increase agency accountability for achieving measurable results at all levels of government, both in the management of fiscal resources and in carrying out statutory mandates. Additional funding to address the backlog of recovery

projects in the National Forest System must, therefore, be accompanied by performance standards and accountability mechanisms that will clearly demonstrate the results achieved by any additional investment of taxpayer dollars.

(9) Frequent forest inventory and analysis of the status and trends in the conditions of forests and their resources are needed to identify and reverse the destruction or degradation of important forest resources in a timely and effective manner. The present average 12- to 15-year cycle of forest inventory and analysis to comply with existing statutory requirements is too prolonged to provide forest managers with the data necessary to make timely and effective management decisions, particularly decisions responsive to changing forest conditions.

#### SEC. 3. DEFINITIONS.

For purposes of this Act:

(1) FEDERAL FOREST LANDS.—The term "Federal forest lands" means lands within the national forest units of the National Forest System.

(2) FUND.—The terms "Forest Recovery and Protection Fund" and "Fund" mean the fund established under section 8.

(3) IMPLEMENTATION DATE.—The term "implementation date" means January 15, 2000, or the first day of the 19th full month following the date of the enactment of this Act, whichever is later. However, if the implementation date under the second option would occur within six months of the next January 15, the Secretary may designate that January 15 as the implementation date.

(4) LAND MANAGEMENT PLAN.—The term "land management plan" means a land and resource management plan prepared by the Forest Service pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604) for Federal forest lands under the jurisdiction of the Secretary of Agriculture.

(5) NATIONAL PILOT PROGRAM.—The term "national pilot program" means the National Pilot Program of Forest Recovery and Protection required by section 4.

(6) OVERHEAD EXPENSES.—The terms "overhead expenses" and "overhead" mean—

(A) common services and indirect expenses, as such terms are defined by expense items 1-10 in Appendix E of the United States Forest Service Timber Cost Efficiency Study Final Report, dated April 16, 1993 (pages 125-126);

(B) direct and indirect general administration expenses, as such terms are identified in Appendix D of the United States Forest Service Forest Management Program Annual Report, Fiscal Year 1996 (FS-614), dated December, 1997 (pages 110-111); and

(C) any other cost of line management or program support that cannot be directly attributable to specific projects or programs.

(7) RECOVERY AREA.—The term "recovery area" means a national forest unit of the National Forest System, identified by the Secretary under section 4(c)—

(A) that has experienced disturbances from wildfires, insect infestations, disease, wind, flood, or other causes, which have caused or contributed to significant soil erosion, degradation of water quality, loss of watershed values, habitat loss, or damage to other forest resources of the area; or

(B) in which the forest structure, function, or composition has been altered so as to increase substantially the likelihood of wildfire, insect infestation, or disease in the area and the consequent risks of damage to soils, water quality, watershed values, habitat, and other forest resources from wildfire, insect infestation, disease, wind, flood, or other causes.

(8) **RECOVERY PROJECT.**—The term “recovery project” means a project to improve, restore, or protect forest resources within an identified recovery area, including the following types of projects: riparian restoration; treatments to reduce stand density for the purpose of reducing risk of catastrophic loss; soil stabilization and other water quality improvement; removal of dead trees or trees being damaged by injurious agents other than competition; prescribed fire; integrated pest management, including the removal of trees to improve stand health by stopping or reducing actual or anticipated spread of insects or disease; vegetative treatments and other habitat improvement activities; and seedling planting and protection.

(9) **SCIENTIFIC ADVISORY PANEL.**—The term “Scientific Advisory Panel” means the advisory panel appointed under section 5.

(10) **SECRETARY.**—The term “Secretary” means the Secretary of Agriculture, acting through the Chief of the Forest Service.

#### **SEC. 4. NATIONAL PILOT PROGRAM OF FOREST RECOVERY AND PROTECTION.**

(a) **NATIONAL PILOT PROGRAM REQUIRED.**—Not later than the implementation date, the Secretary shall commence a national pilot program to restore and protect forest resources located on Federal forest lands in the United States through the performance of recovery projects in identified recovery areas.

(b) **STANDARDS AND CRITERIA.**—

(1) **INITIAL PUBLICATION.**—Not later than 210 days before the implementation date, the Secretary shall publish in the Federal Register the proposed standards and criteria to be used for the identification and prioritization of recovery areas. In establishing the standards and criteria, the Secretary shall consider the standards and criteria recommended by the Scientific Advisory Panel under section 5(f). The Secretary shall include in the Federal Register entry required by this paragraph an explanation of any significant differences between the recommendations of the Scientific Advisory Panel and the standards and criteria actually proposed by the Secretary.

(2) **COMMENT PERIOD AND FINAL PUBLICATION.**—Upon the publication of the proposed standards and criteria under paragraph (1), the Secretary shall provide a 45-day period for the submission of comments regarding the proposed standards and criteria. Not later than 30 days after the close of the comment period, the Secretary shall publish the final standards and criteria in the Federal Register.

(c) **IDENTIFICATION OF RECOVERY AREAS.**—

(1) **INITIAL PUBLICATION.**—Not later than 105 days before the implementation date, the Secretary shall publish in the Federal Register a list, in order of priority, of the proposed recovery areas within which recovery projects are to be conducted under the national program in accordance with the standards and criteria established and in effect under subsection (b).

(2) **COMMENT PERIOD AND FINAL PUBLICATION.**—Upon the publication of the proposed recovery areas under paragraph (1), the Secretary shall provide a 45-day period for the submission of comments regarding the proposed recovery areas. Not later than 30 days after the close of the comment period, the Secretary shall publish the final list of recovery areas, in order of priority, in the Federal Register.

(3) **MODIFICATION.**—The Secretary may not modify the final list of recovery areas published pursuant to paragraph (2).

(d) **ANNUAL ALLOCATION OF AMOUNTS TO RECOVERY AREAS.**—

(1) **ALLOCATION REQUIRED.**—Not later than the implementation date, and each January

15 thereafter, the Secretary shall allocate amounts from the Forest Recovery and Protection Fund to regions of the Forest Service for the purpose of conducting recovery projects in recovery areas identified in subsection (c). In making such allocations, the Secretary shall identify the total acreage nationally that the Secretary expects to be treated during the fiscal year using allocated amounts.

(2) **AUTHORIZED USE OF AMOUNTS FOR MULTI-YEAR PROJECTS.**—Amounts allocated by the Secretary pursuant to paragraph (1) shall be available, without further allocation by the Secretary, to carry out and administer multi-year recovery projects beyond the fiscal year in which the amounts are allocated by the Secretary.

(e) **RECOVERY PROJECTS.**—

(1) **INITIATION OF PROJECT LEVEL ANALYSIS.**—Not later than 30 days after the date on which the Secretary allocates amounts from the Forest Recovery and Protection Fund under subsection (d), the regional forester (or the designees of the regional forester) in each region to which amounts have been allocated shall initiate project planning, including any activities required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), for each recovery project to be conducted during that fiscal year.

(2) **PROHIBITED PROJECT LOCATIONS.**—The regional forester (or the designees of the regional forester) shall not select or implement a recovery project under the authority of this Act in any of the following:

(A) Any unit of the National Wilderness Preservation System or any primitive area or area identified for study for possible inclusion in such system under the Wilderness Act (16 U.S.C. 1131 et seq.).

(B) Any riparian area, late successional reserve, or old growth area within which the implementation of recovery projects is prohibited by the applicable land management plan.

(C) Any other area in which the implementation of recovery projects is prohibited by law, a court order, or the applicable land management plan.

(f) **REQUIREMENTS FOR RECOVERY PROJECT SELECTION.**—In selecting recovery projects as required under subsection (e), the regional forester (or the designees of the regional forester) in each region shall—

(1) identify for each recovery project the total acreage requiring treatment, the estimated cost of preparation and implementation, and the estimated project duration;

(2) consider the economic benefits to be provided to local communities as a result of each recovery project, but only to the extent that such considerations are consistent with the standards and criteria for recovery areas established and in effect under subsection (b) and the priorities established by the ranking of recovery areas under subsection (c);

(3) ensure that each recovery project complies with the land management plan applicable to the recovery area within which the recovery project will be conducted;

(4) ensure that each recovery project is designed to be implemented in the most cost-effective manner, except that a recovery project is not precluded simply because the cost of preparing and implementing the recovery project is likely to exceed the revenue derived from the recovery project; and

(5) ensure that each recovery project will maintain or enhance the ecological functions and conditions of the forest in which the project will be conducted.

(g) **ANNUAL REPORT TO CONGRESS.**—

(1) **REPORT REQUIRED.**—Not later than the implementation date, and each January 15 thereafter, the Secretary shall submit to Congress a report on the identification and prioritization of recovery areas required

under subsection (c) and the allocation of amounts from the Forest Recovery and Protection Fund under subsection (d).

(2) **REPORT CONTENTS.**—Each report required under paragraph (1) shall include the following:

(A) A breakdown of the amounts allocated to each region of the Forest Service under subsection (d).

(B) The total acreage nationally expected to be treated by recovery projects during the fiscal year using amounts allocated under subsection (d).

(3) **ADDITIONAL REQUIREMENTS.**—After the initial report required by paragraph (1), each subsequent report shall also include the following:

(A) A list, by recovery area, of the recovery projects for which planning has been initiated during the prior fiscal year including, for each recovery project, the following:

(i) A description of the management objectives of the project that will be monitored for implementation and effectiveness using the monitoring plan established under section 7.

(ii) The total acreage requiring treatment, the estimated cost of preparation and implementation, and the estimated project duration.

(iii) The total acreage treated by the recovery project during the fiscal year.

(iv) The projected economic benefits (if any) the project will provide to local communities.

(B) An explanation of the following:

(i) Whether the planning for recovery projects during the prior fiscal year was initiated within the timeframe required under subsection (e)(1) and an accounting of the steps taken by the Secretary relative to the projects pursuant to the requirements of section 8(d); and

(ii) An explanation of the status of recovery projects for which planning was initiated in prior fiscal years.

(C) A list, by recovery area, of the recovery projects completed during the prior fiscal year including, for each recovery project, a comparison of the following:

(i) The projected and actual management objectives achieved by the project, as determined using the monitoring plan established and in effect under section 7.

(ii) The projected and actual preparation and implementation costs and duration of the project.

(iii) The projected and actual economic benefits to local communities provided by the project.

(D) A description of any additional resources or authorities needed by the Secretary to implement and carry out the national pilot program in an efficient and cost-effective manner.

(4) **NOTICE OF AVAILABILITY.**—Not later than the implementation date, and each January 15 thereafter, the Secretary shall publish in the Federal Register a notice of availability of the most-recent report to Congress required by this subsection.

(h) **APPLICABILITY OF FEDERAL LAWS.**—Nothing in this section exempts any action authorized or required by this section from any Federal law.

#### **SEC. 5. SCIENTIFIC ADVISORY PANEL.**

(a) **ESTABLISHMENT.**—There is established a panel of scientific advisers to the Secretary to be known as the “Scientific Advisory Panel”.

(b) **COMPOSITION OF PANEL.**—

(1) **APPOINTMENT FROM LIST OF EXPERTS.**—The Scientific Advisory Panel shall consist of 11 members appointed as provided in subsection (c) from a list, to be prepared by the National Academy of Sciences, that consists of—

(A) persons with expertise in the natural sciences who, through the publication of peer-reviewed scientific literature have demonstrated expertise in matters relevant to forest resource management; and

(B) State foresters (or persons with similar managerial expertise) who, through the publication of peer-reviewed scientific literature or other similar evidence of significant scientific or professional accomplishment, have demonstrated expertise in matters relevant to forest resource management.

(2) **PREPARATION OF LIST.**—The National Academy of Sciences shall prepare the list required by paragraph (1) not later than 30 days after the date of the enactment of this Act. In the preparation of the list, the National Academy of Sciences shall consult with scientific and professional organizations whose members have relevant experience in forest resource management.

(c) **APPOINTMENT PROCESS.**—The members of the Scientific Advisory Panel shall be selected from the list described in subsection (b) as follows:

(1) One member appointed by the Chairman of the Committee on Agriculture of the House of Representatives, in consultation with the ranking minority member of the Committee.

(2) One member appointed by the Chairman of the Committee on Resources of the House of Representatives, in consultation with the ranking minority member of the Committee.

(3) One member appointed by the Chairman of the Committee on Agriculture, Nutrition, and Forestry of the Senate, in consultation with the ranking minority member of the Committee.

(4) One member appointed by the Chairman of the Committee on Energy and Natural Resources of the Senate, in consultation with the ranking minority member of the Committee.

(5) Three members appointed by the Secretary.

(6) Four members appointed by the National Academy of Sciences.

(d) **ADMINISTRATIVE MATTERS.**—

(1) **TIME FOR APPOINTMENT.**—Appointments of members of the Scientific Advisory Panel shall be made as follows:

(A) The appointment of members under paragraphs (1) through (4) of subsection (c) shall be made within 30 days after the date on which the list described in subsection (b) is first made available.

(B) The appointment of members under paragraphs (5) and (6) of subsection (c) shall begin after the appointments required under paragraphs (1) through (4) of such subsection have been made so that the persons making the appointments under paragraphs (5) and (6) of such subsection can ensure that the requirement specified in subsection (e) for a balanced representation of scientific disciplines on the Scientific Advisory Panel is satisfied. The appointments shall be completed within 60 days after the date on which the list described in subsection (b) is first made available.

(2) **TERM AND VACANCIES.**—A member of the Scientific Advisory Panel shall be appointed for a term beginning on the date of the appointment and ending on the implementation date. A vacancy on the Scientific Advisory Panel shall be filled within 30 days in the manner in which the original appointment was made.

(3) **COMMENCEMENT OF ACTIVITY.**—The Scientific Advisory Panel may commence its duties under subsection (f) as soon as at least eight of the members have been appointed under subsection (c). At the initial meeting, the members of the Scientific Advisory Panel shall select one member to serve as chairperson.

(4) **CONFLICT OF INTERESTS.**—A person may not serve as a member of the Scientific Advisory Panel if the member has a conflict of interest with regard to any of the duties to be performed by the Scientific Advisory Panel under subsection (f). Decisions regarding the existence of a conflict of interest shall be made by the Scientific Advisory Panel.

(e) **BALANCED REPRESENTATION OF SCIENTIFIC DISCIPLINES.**—The Scientific Advisory Panel shall include at least one representative of each of the following:

- (1) Hydrologist.
- (2) Wildlife biologist.
- (3) Fisheries biologist.
- (4) Entomologist or pathologist.
- (5) Fire ecologist.
- (6) Silviculturist.
- (7) Economist.
- (8) Soil scientist.

(9) State forester or person with similar managerial expertise.

(f) **DUTIES IN CONNECTION WITH IMPLEMENTATION.**—During the period beginning on the initial meeting of the Scientific Advisory Panel and ending on the implementation date, the Scientific Advisory Panel shall be responsible for the following:

(1) The preparation and submission to the Secretary and the Congress of recommendations regarding the standards and criteria that should be used to identify and prioritize recovery areas.

(2) The preparation of and submission to the Secretary and the Congress of recommendations regarding a monitoring plan for the national pilot program of sufficient scope to monitor the implementation and effectiveness of recovery projects conducted under the national pilot program.

(g) **CONSIDERATIONS.**—In the development of its recommendations under subsection (f), the Scientific Advisory Panel shall—

(1) consult as appropriate with region-specific scientific experts in forest ecology, hydrology, wildlife biology, entomology, pathology, soil science, economics, social sciences, and other appropriate scientific disciplines;

(2) consider the most current peer-reviewed scientific literature regarding the duties undertaken by the Panel; and

(3) incorporate information gathered during the implementation of the advance recovery projects required under section 6.

(h) **ALLOCATION OF FOREST SERVICE PERSONNEL.**—The Forest Service shall allocate administrative support staff to the Scientific Advisory Panel to assist the Panel in the performance of its duties as outlined in this section.

(i) **FEDERAL ADVISORY COMMITTEE ACT COMPLIANCE.**—The Scientific Advisory Panel shall be subject to sections 10 through 14 of the Federal Advisory Committee Act (5 U.S.C. App.).

#### **SEC. 6. ADVANCE RECOVERY PROJECTS.**

(a) **SELECTION OF ADVANCE PROJECTS.**—Not later than 30 days after the date of the enactment of this Act, the Secretary shall allocate amounts from the Forest Recovery and Protection Fund to Forest Service regions for the purpose of conducting a limited number (as determined by the Secretary) of advance recovery projects on Federal forest lands. The regional foresters of the Forest Service (or the designees of the regional foresters) shall select the advance recovery projects to be carried out under this section. However, the selection of an advance recovery project in a State shall be made in consultation with the State forester of that State.

(b) **SELECTION CRITERIA.**—In selecting advance recovery projects, the regional foresters (and their designees) shall comply with the requirements of subsections (e)(2)

and (f) of section 4 applicable to the selection of recovery projects under the national pilot program. Priority shall be given to projects on those Federal forest lands—

(1) where the Regional Forester (in consultation with the appropriate State forester) has identified a significant risk of loss to human life and property or serious resource degradation or destruction due to wildfire, disease epidemic, severe insect infestation, wind, flood, or other causes; or

(2) for which thorough forest resource assessments have been completed, including Federal forest lands in the Pacific Northwest, the Interior Columbia Basin, the Sierra Nevada, the Southern Appalachian Region, and the northern forests of Maine, Vermont, New Hampshire, and New York.

(c) **INITIATION OF PROJECT LEVEL ANALYSIS.**—Not later than 30 days after the date on which the Secretary allocates amounts from the Forest Recovery and Protection Fund under subsection (a), the regional forester (or the designees of the regional forester) in each region to which amounts have been allocated shall initiate project planning, including any activities required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), for the advance recovery projects to be conducted in that region.

(d) **EFFECT OF FAILURE TO COMPLY WITH TIME PERIODS.**—If the deadline for the initiation of project planning specified under subsection (c) is not met for any advance recovery project, the Secretary may not use amounts in the Forest Recovery and Protection Fund to carry out the project and shall promptly reimburse the Fund for any expenditures previously made from the Fund in connection with the project.

(e) **REPORTING REQUIREMENTS.**—Not later than the implementation date, and annually thereafter until completion of all advance recovery projects, the Secretary shall submit to Congress a report on the implementation of advance recovery projects. The report shall consist of a description of the accomplishments of each advance recovery project and incorporate the requirements of section 4(g)(3).

(f) **NOTICE OF AVAILABILITY.**—The Secretary shall publish in the Federal Register a notice of the availability of each report to Congress required by this section.

(g) **APPLICABILITY OF FEDERAL LAWS.**—Nothing in this section exempts any advance recovery project authorized or required by this section from any Federal law.

#### **SEC. 7. MONITORING PLAN.**

(a) **PLAN REQUIRED.**—Not later than the implementation date, the Secretary shall prepare and submit to Congress a monitoring plan for the national pilot program of sufficient scope to monitor the implementation and effectiveness of recovery projects conducted under sections 4 and 6.

(b) **RECOMMENDATIONS OF SCIENTIFIC ADVISORY PANEL.**—In preparing the monitoring plan required under subsection (a), the Secretary shall consider the monitoring plan recommended by the Scientific Advisory Panel under section 5(f). The Secretary shall include with the monitoring plan submitted to Congress under subsection (a) an explanation of any significant differences between the recommendations of the Scientific Advisory Panel and the monitoring plan actually submitted to Congress.

#### **SEC. 8. FOREST RECOVERY AND PROTECTION FUND.**

(a) **ESTABLISHMENT.**—There is established on the books of the Treasury a fund to be known as the "Forest Recovery and Protection Fund". The Chief of the Forest Service shall be responsible for administering the Fund.

(b) **CREDITS TO FUND.**—During the time period specified in section 9(a), there shall be credited to the Fund the following:

(1) Amounts authorized for and appropriated to the Fund.

(2) Unobligated amounts in the roads and trails fund provided for in the fourteenth paragraph under the heading "FOREST SERVICE" of the Act of March 4, 1913 (37 Stat. 843; 16 U.S.C. 501) as of the date of the enactment of this Act, and all amounts which would otherwise be deposited in such fund after such date.

(3) Amounts required to be reimbursed to the Fund under subsection (d) or section 6(d).

**(c) USE OF FUND.—**

(1) **AUTHORIZED USES.**—Amounts in the Fund shall be available to the Secretary, without further appropriation—

(A) to carry out the national pilot program;

(B) to plan, carry out, and administer recovery projects under sections 4 and 6;

(C) to administer the Scientific Advisory Panel; and

(D) to pay for the monitoring program established under section 7.

(2) **EFFECT OF COMPLETION.**—Upon completion of all recovery projects for which planning was initiated under section 4(e)(1), and the contracts identified in section 9(c), all remaining amounts in the Fund shall be transferred to the general fund of the Treasury.

(d) **EFFECT OF FAILURE TO COMPLY WITH ANNUAL DEADLINES.**—

(1) **PROHIBITION ON USE OF FUND.**—The Secretary may not use amounts in the Fund—

(A) to allocate monies to regions of the Forest Service during a fiscal year under section 4(d)(1), if the deadlines specified in such section are not met for that fiscal year; or

(B) to carry out a recovery project, if the final decision on project planning is not initiated within the time frame required by section 4(e)(1).

(2) **FUND REIMBURSEMENT.**—If the deadlines referred to in paragraph (1)(A) are not met for a particular fiscal year, the Secretary shall promptly reimburse the Fund for any expenditures previously made from the Fund in connection with the allocation of monies to regions of the Forest Service during that fiscal year. If the time frame referred to in paragraph (1)(B) is not met for a particular recovery project, the Secretary shall promptly reimburse the Fund for any expenditures previously made to carry out that recovery project.

(e) **LIMITATION ON OVERHEAD AND OTHER EXPENSES.**—

(1) **OVERHEAD EXPENSES.**—The Secretary shall not allocate or assign overhead expenses to the Fund or to any of the activities or programs authorized by sections 4 through 10.

(2) **SCIENTIFIC ADVISORY PANEL.**—The Secretary may allocate up to \$1,000,000 from the Fund to finance the operation of the Scientific Advisory Panel.

(3) **MONITORING PLAN.**—The Secretary may allocate up to \$500,000 from the Fund during a fiscal year to implement the monitoring plan established under section 7.

(4) **PROHIBITION ON USE OF ANY FUNDS TO CONSTRUCT NEW, PERMANENT ROADS.**—For purposes of the recovery projects authorized by this Act, amounts in the Fund shall not be used, either directly through direct allocations from the Fund, or indirectly through allocations to recovery projects from other Forest Service accounts, for the construction of new, permanent roads.

(f) **TREATMENT OF REVENUES FROM RECOVERY PROJECTS.**—All revenues generated by recovery projects undertaken pursuant to sections 4 and 6 shall be paid, at the end of each fiscal year, to the States pursuant to the formula for distribution to the States under the sixth paragraph under the heading "FOREST SERVICE" in the Act of May 23,

1908 (35 Stat. 260; 16 U.S.C. 500), and section 13 of the Act of March 1, 1911 (36 Stat. 963; commonly known as the Weeks Act; 16 U.S.C. 500).

(g) **CONFORMING AMENDMENT.**—The fourteenth paragraph under the heading "FOREST SERVICE" of the Act of March 4, 1913 (37 Stat. 843; 16 U.S.C. 501), is amended by adding at the end the following new sentence: "During the term of the Forest Recovery and Protection Fund, as established by section 8 of the Forest Recovery and Protection Act of 1998, amounts reserved under the authority of this paragraph shall be deposited into that Fund."

**SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

(a) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act for the fiscal year in which this Act is enacted and each fiscal year thereafter through September 30, 2005, or September 30 of the fifth full fiscal year following the implementation date, whichever is later.

(b) **DEPOSIT IN FUND.**—All sums appropriated pursuant to this section shall be deposited in the Forest Recovery and Protection Fund.

(c) **EFFECT ON EXISTING PROJECTS.**—Any contract regarding a recovery project entered into before the end of the final fiscal year specified in subsection (a), and still in effect at the end of such fiscal year, shall remain in effect until completed pursuant to the terms of the contract.

**SEC. 10. AUDIT REQUIREMENTS.**

(a) **ANNUAL REPORT VERIFICATION.**—At the request of any committee chairman identified in section 5(c), the Comptroller General shall submit to Congress a report assessing the accuracy of an annual report prepared by the Secretary pursuant to section 4(g). The Comptroller General's report shall be completed as soon as practicable following the date of the publication by the Secretary of the annual report for which the request under this subsection was made.

(b) **NATIONAL PILOT PROGRAM AUDIT.**—At the request of any committee chairman identified in section 5(c), the Comptroller General shall conduct an audit of the national pilot program at the end of the fourth full fiscal year following the implementation date.

(c) **ELEMENTS OF AUDIT.**—The audit under subsection (b) shall include an analysis of the following:

(1) Whether advance recovery projects, the national pilot program, and the administration of the Forest Recovery and Protection Fund were carried out in a manner consistent with the provisions of this Act.

(2) The impact of the advance recovery projects conducted under section 6 on the development and implementation of the national pilot program.

(3) The extent to which the recommendations of the Scientific Advisory Panel were used to develop the standards and criteria established under section 4(b) and the monitoring plan under section 7.

(4) The extent to which the Secretary has carried out the monitoring plan required under section 7 and the extent to which the monitoring plan has been successful in monitoring the implementation and effectiveness of recovery projects.

(5) The current and projected future financial status of the Forest Recovery and Protection Fund.

(6) Any cost savings or efficiencies achieved under the national pilot program.

(7) Any other aspect of the implementation of this Act considered appropriate by the chairman or chairmen requesting the audit.

**SEC. 11. FOREST INVENTORY AND ANALYSIS.**

(a) **PROGRAM REQUIRED.**—The Secretary shall establish a program to inventory and

analyze, in a timely manner, public and private forests in the United States.

(b) **ANNUAL STATE INVENTORY.**—Subject to subsection (c), not later than the end of each full fiscal year beginning after the date of the enactment of this Act, the Secretary shall prepare for each State, in cooperation with the State forester for that State, an inventory of the forests in that State. For purposes of preparing the inventory for a State, the Secretary shall measure annually 20 percent of all sample plots that are included in the inventory program for that State. Upon completion of each annual inventory, the Secretary shall make available to the public a compilation of all data collected from the year's measurements of sample plots and any analysis of such samples.

(c) **MODIFICATIONS.**—At the request of the State forester (or equivalent State officer) of a State, the Secretary may modify for that State the time interval for preparing forest inventories, the percentage of sample plots to be measured annually, or the requirements for making data available to the public required under subsection (b), except that 100 percent of the sample plots in the inventory program for that State shall be measured, appropriate analysis of such samples shall be conducted, and corresponding data shall be compiled during the time intervals described in subsection (d).

(d) **5-YEAR REPORTS.**—At intervals not greater than every five full fiscal years after the date of the enactment of this Act, the Secretary shall prepare, publish, and make available to the public a report, prepared in cooperation with State foresters, that—

(1) contains a description of each State inventory of forests, incorporating all sample plot measurements conducted during the five years covered by the report;

(2) displays and analyzes on a nationwide basis the results of the State reports required by subsection (b); and

(3) contains an analysis of forest health conditions and trends over the previous two decades, with an emphasis on such conditions and trends during the period subsequent to the immediately preceding report under this subsection.

(e) **NATIONAL STANDARDS AND DEFINITIONS.**—To ensure uniform and consistent data collection for all public and private forest ownerships and each State, the Secretary shall develop, in consultation with State foresters and Federal land management agencies not within the jurisdiction of the Secretary, and publish national standards and definitions to be applied in inventorying and analyzing forests under this section. The standards shall include a core set of variables to be measured on all sample plots under subsection (b) and a standard set of tables to be included in the reports under subsection (d).

(f) **PROTECTION FOR PRIVATE PROPERTY RIGHTS.**—The Secretary shall obtain written authorization from property owners prior to collecting data from sample plots located on private property pursuant to subsections (b) and (c). Nothing in this section shall be construed to authorize the Secretary (directly or through the use of State foresters or other persons) to regulate privately held forest lands, the use of privately held forest lands, or the resources located on privately held forest lands.

(g) **STRATEGIC PLAN.**—Not later than 180 days after the date of the enactment of this Act, the Secretary shall prepare and submit to Congress a strategic plan to implement and carry out this section, including the annual updates required by subsection (b), any modifications made to pursuant to subsection (c), and the reports required by subsection (d). The strategic plan shall describe in detail the following:

(1) The financial resources required to implement and carry out this section, including the identification of any resources required in excess of the amounts provided for forest inventorying and analysis in recent appropriations Acts.

(2) The personnel necessary to implement and carry out this section, including any personnel in addition to personnel currently performing inventorying and analysis functions.

(3) The organization and procedures necessary to implement and carry out this section, including proposed coordination with Federal land management agencies and State foresters.

(4) The schedules for annual sample plot measurements in each State inventory required by subsection (b), as modified for that State under subsection (c), within the first five-year interval after the date of the enactment of this Act.

(5) The core set of variables to be measured in each sample plot under subsections (b) and (c) and the standard set of tables to be used in each State and national report under subsection (d).

(6) The process for employing, in coordination with the Department of Energy and the National Aeronautics and Space Administration, remote sensing, global positioning systems, and other advanced technologies to carry out this section, and the subsequent use of such technologies.

The CHAIRMAN. The bill shall be considered for amendment under the 5-minute rule for a period not to extend beyond 1:30 p.m. today.

During consideration of the bill for amendment, the Chair may accord priority and recognition to a member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Chairman of the Committee of the Whole may postpone a request for a recorded vote on any amendment and may reduce to a minimum of 5 minutes the time for voting on any postponed question that immediately follows another vote, provided that the time for voting on the first question shall be a minimum of 15 minutes.

Are there any amendments to the bill?

AMENDMENT OFFERED BY MR. SMITH OF OREGON

Mr. SMITH of Oregon. Mr. Chairman, I offer a technical amendment.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Oregon:

Page 33, beginning on line 4, strike section 11.

Mr. SMITH of Oregon. Mr. Chairman, quickly, this is the Forest Inventory Analysis portion of this bill, which has already been included in the research bill, which has been conferenced and is rapidly on its way to the President. It is a very important part of this whole program, yet it is unnecessary in this bill, and therefore, the reason to strike.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oregon (Mr. SMITH).

The amendment was agreed to.

The CHAIRMAN. Are there further amendments?

Mr. BOEHLERT. Mr. Chairman, I move to strike the last word.

I have an amendment in the nature of a substitute drafted, but I do not intend to offer it. The substitute would enable the bill's proponents to do what they claim they want to do: get a bill signed into law. This substitute makes some simple changes to the bill, which would not impair the program, but that would allow the bill to be signable.

□ 1130

The substitute will protect forests and people. The bill, I am afraid, will end up helping no one. Only ideology stands between the House and a signable bill that will improve the health of our Nation's forests.

My substitute makes three changes in the original bill. The first would prevent the construction of new roads under this bill. This is the change I had planned to offer in my original amendment that was printed in the RECORD.

Let me be clear. My roads provision deals only with road construction under the program created by this bill. It would have no impact on road construction under any other Forest Service program, so I hope we can have a debate on this that focuses solely on the issue at hand; that is, should road building be a part of the forest health program in this bill? I think the answer is clearly no.

Forest health problems occur primarily in areas where logging has occurred. Those areas already are accessible by roads. Therefore, if this bill is designed to remedy forest health problems, there is no reason to build any roads. The only reason to build roads would be to facilitate more logging, including in roadless areas, and the bill's sponsors claim that that is not the purpose of the bill.

I am sure the chairman will point out that this bill already bans the construction of permanent roads. That is true. The inclusion of that language was a significant concession on his part. But temporary roads are almost as damaging as permanent ones. They can cause erosion and other problems while they are in use, and for years thereafter. As erosion increases, streams are damaged. As one environmentalist said to me, the fish do not know whether the road is permanent or temporary.

The bill as it stands allows environmental degradation to occur without any balancing benefit. The temporary roads will cause ecological damage, but they are not needed to fulfill the purposes of this bill.

Everyone around here who sings the praises of cost-benefit analysis ought to be appalled by a cost-benefit ratio where the benefit is zero. My substitute will ensure that we do not build roads under a program that does not require them.

My second change would be a boon to the American taxpayer. Under the bill, any revenues generated by timber sales under the health program go to the States. This is bad in two ways. First,

it deprives the Federal taxpayer of revenues gained from national, that is Federal, forests. No existing Forest Service programs return all revenues to the States.

Second, the bill's scheme creates an incentive to log in a program that is not designed to promote logging. Under the bill, State and local officials will pressure the Forest Service to log to give more revenue. We want decisions on logging to be based on forest sites, not local economics.

Third, my substitute makes a number of technical changes, many of which had already been welcomed by the staff of the Committee on Agriculture. Some of these changes are of greater advantage to the bill's sponsors than they are to the opponents, but their primary impact is to guarantee all existing environmental reviews are carried out under this new program. That is the sponsors' stated intent, and these changes would ensure that their intent is realized.

This substitute presents Congress with a simple choice: we can function as an ideological debating society, spending time on bills that cannot possibly become law, like the bill before us today, or we can make some changes that ensure that this forest health program actually functions as described, and that the program actually becomes law. To me, that seems like an easy choice.

I am not going to offer this substitute because it has been developed at the last minute, out of necessity, because of the dynamics of this process, with changes being made from hour to hour. But it demonstrates how easy it would have been to craft a signable bill. I urge defeat of this bill so we can start again and end up with a law that will make a difference.

Mr. MILLER of California. Mr. Chairman, I move to strike the last word.

Mr. Chairman, first I want to thank the gentleman from New York (Mr. BOEHLERT) for all of the work he has attempted to do on this legislation and the substitute that he was working on, because I think he addressed a number of important problems that certainly are not cured or addressed in this legislation, the most fundamental of which is the roads and the ability to go into roadless areas under this legislation.

As we have heard time and again in our committee, the most degrading conditions in the forest are those due to past mismanagement, which include the clear-cutting of old growth, and which leads, then, to very crowded, less fire-resistant, disease resistant second growth, the roadbuildings, overgrazing of these lands, and the fire suppression policies.

We do not need roads to go back and to improve the health of those forests and restore them to make them viable for us. This legislation does not do that. Instead, this legislation pushes forward, including road construction, in the name of forest health.

I think the point is this, that this legislation works on the premise that



the only way you can restore the health to the forest is to engage in large-scale commercial logging once again to improve forest health. All of the past practices over the past 50 years suggest that it is just the opposite of that, that that is exactly what got us into this crisis. It was not just that these forests all of a sudden have become susceptible to fire and diseases, but because of the management in the past, that relied heavily on commercial logging that far outstripped the sustainability of the forests to engage in that level of cut.

Somebody said earlier that they wanted us to remember that trees are renewable resources. I would like to take them to vast areas of southern Oregon, vast areas of northern California, where 30 years ago, 20 years ago, 15 years ago, trees were replanted because of the cuts on steep grades, and in unsustainable levels. They planted trees.

If you go out on those 30-year cuts you will find those trees barely come up to your knees. Why? Because the manner in which they practiced forestry, they cut down the trees, the top soil gets washed down into the streams, it kills the streams, kills the fishery, and the replanting has no value. It has no value.

What are we left with? We are left with high elevation desert landscapes that are denuded of any ability to support forests. Do Members know what? The Forest Service and the timber industry count those replants as sustaining the yields so that it can cut more trees, because they say in 30 years those trees will be on line. It is 30 years, Mr. Chairman, and those trees are not fit for a Christmas tree in a one-room apartment, but they want to pretend that somehow that is commercial forests, and the way to get these forests healthy is to continue that process.

It has been discredited. This Congress has refused to engage in that practice. We went through a great deal of pain in the Pacific Northwest, in the State of California because of this kind of mismanagement, and in other areas of the Rocky Mountain northern tier. We are not going to go back to those days. It is not supported by our communities, it is not supported by the constituents throughout our States.

Mr. Chairman, this legislation in fact again allows large-scale commercial timbering in the Sierra Nevada Mountains. We have received report after report in recent times here that the Sierra Nevada is absolutely a fragile forest, that we have to make some very difficult decisions if we are going to maintain any of the late succession of old growth forest, if we are going to retain any of the ancient forests in the Sierra Nevada.

Yet, this legislation will allow them as part of these plans to push right on into those roadless areas, the last vestiges we have in a State of 30 million people, a State soon to be at 45

million people, that want to use these forests with their families for a whole series of multiple uses. They do not want them sacrificed under a disguised salvage policy.

This Nation looked on in shock as this country was shut down over a salvage rider on an appropriations bill, as we shut down the government when the President would not accept it. They could not believe that would happen. Finally, we sorted it out and Congress rejected that approach to forest practices.

This legislation is designed to go back to those practices. They have dressed it all up, they have camouflaged it the best they can, but we are back to basic salvage policy.

The CHAIRMAN. The time of the gentleman from California (Mr. MILLER) has expired.

(By unanimous consent, Mr. MILLER of California was allowed to proceed for 2 additional minutes.)

Mr. MILLER of California. Mr. Chairman, we are back to the basic problems. Not only do they raid the national forests with the practice allowed under this legislation, they raid the national Treasury. They raid the national Treasury, because all of the money that would be derived from selling these trees is not put into the Treasury for the taxpayers of this country, who paid for this function, who you are asking to put up \$100 million over the next 5 years. They do not get a return on the money they put. No. We give it to the local community, to try to provide an incentive to cut more trees. That makes no sense at all. It makes no sense at all, and we should not do it.

Finally, let me say that this continues the process of creating unappropriated funds. Without regard to annual appropriations, a fund is created here. We sat in shock, Democrats, Republicans, liberals, and conservatives, in our committee hearing yesterday, members of the Committee on the Budget, the Committee on Appropriations, the Committee on Resources, as we listened to the Inspector General, the CRS, the GAO tell us of the shambles, the unaccountability, the loss, the waste, the abuse of money within these funds that no longer come back to Congress and are accountable. We ought not to create those funds and re-create that mistake.

For reasons of fiscal policy, for reason of forestry policy, this legislation should be rejected. This is legislation that cannot be fixed. Members ought to vote against it.

AMENDMENT OFFERED BY MR. BASS

Mr. BASS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BASS:

Add at the end the following new section:  
**SEC. . NORTHERN FOREST STEWARDSHIP.**

(a) **SHORT TITLE.**—This section may be cited as the "Northern Forest Stewardship Act".

(b) **DECLARATIONS.**—Congress declares as follows:

(1) The 26,000,000-acre Northern Forest region is an extraordinary resource. The forests in the region are rich in natural resources and values cherished by residents and visitors: timber, fiber, and wood for forest products and energy supporting successful businesses and providing stable jobs for residents; lakes, ponds, rivers, and streams unspoiled by pollution or crowding human development; tracts of land for wildlife habitat and recreational use, and protected areas to help preserve the biological integrity of the region. This section is enacted to implement the Northern Forest Lands Council's vision of the Northern Forest as a landscape of interlocking parts and pieces, reinforcing each other: local communities, industrial forest land, family and individual ownerships, small woodlots, recreation land, and public and private conservation land.

(2) Current land ownership and management patterns have served the people and forests of the region well, but conditions that up to now have conserved the Northern Forest are no longer capable of ensuring perpetuation of the forests; public policies relating to the Northern Forest should seek to reinforce rather than replace the patterns of ownership and use of large, unbroken forest areas that have characterized the land in the Northern Forest for decades.

(3) This section effectuates certain recommendations of the Northern Forest Lands Council that were developed with broad public input and the involvement of Federal, State, and local governments. The actions described in this section to implement those recommendations are most appropriately directed by the Northern Forest States, with assistance from the Federal Government, as requested by the States. Implementation of the recommendations should be guided by the fundamental principles laid out by the Northern Forest Lands Council report. Those principles provide the foundation for the intent of this section: to support the primary role of the Northern Forest States in the management of their forests, to support the traditions of the region, to emphasize the rights and responsibilities of the landowners, and to advance new mechanisms for cooperative conservation of the Northern Forest lands and its resources for future generations.

(c) **SUPPORT FOR SUSTAINABLE FOREST MANAGEMENT.**—At the request of the Governor of the State of Maine, New Hampshire, New York, or Vermont, the Secretary of Agriculture, acting through the Chief of the Forest Service, may provide technical assistance under the Cooperative Forestry Act of 1978 (16 U.S.C. 2101 et seq.) to—

(1) support a State-based process, directed by the State, to define benchmarks of sustainability for a variety of forest types to achieve the principles of sustainability developed by the Northern Forest Lands Council;

(2) publicize, explain the application of, and distribute the benchmarks to forest landowners; and

(3) educate the public that timber harvesting is a responsible forest use so long as the long-term ability of the forest to continue producing timber and other benefits is maintained.

(d) **NORTHERN FOREST RESEARCH COOPERATIVE.**—At the request of the Governor of the State of Maine, New Hampshire, New York, or Vermont, the Secretary of Agriculture (acting through the Northeastern Forest Experiment Station and the Chief of the Forest Service) may work with the State, the land grant universities of the State, natural resource and forestry schools, other Federal agencies, and other interested parties in assisting the State in coordinating ecological and economic research, including—



(1) research on ecosystem health, forest management, product development, economics, and related fields;

(2) research to help the States and landowners achieve the principles of sustainability under subsection (c) as recommended by the Northern Forest Lands Council;

(3) technology transfer to the wood products industry on efficient processing, pollution prevention, and energy conservation;

(4) dissemination of existing and new information to landowners, public and private resource managers, State forest citizen advisory committees, and the general public through professional associations, publications, and other information clearinghouse activities; and

(5) analysis of strategies for the protection of areas of outstanding ecological significance, high biodiversity, and the provision of important recreational opportunities, including strategies for areas identified through State land conservation planning processes.

(e) **INTERSTATE COORDINATION STRATEGY.**—At the request of 2 or more of the Governors of the States of Maine, New Hampshire, New York, or Vermont, the Secretary of Agriculture, acting through the Chief of the Forest Service, may make a representative available to meet with representatives of the States to coordinate the implementation of Federal and State policy recommendations identified in the Northern Forest Lands Council report.

(f) **LAND CONSERVATION.**—

(1) **FEDERAL ASSISTANCE.**—At the request of the Governor of the State of Maine, New Hampshire, Vermont, or New York, the Secretary of Agriculture (acting through the Chief of the Forest Service) and the Secretary of the Interior (acting through the Director of the National Park Service and Director of the United States Fish and Wildlife Service) may provide technical and financial assistance for a State-managed public land conservation planning process and land conservation initiatives directed by the State that employ a variety of conservation tools, consistent with the recommendations of the Northern National Forest Lands Council.

(2) **PROGRAM DEVELOPMENT.**—The planning process for a State described in paragraph (1) shall establish a goal-oriented land conservation program that includes, at the discretion of the Governor—

(A) identification of, and setting of priorities for the acquisition of, fee or less-than-fee interests in exceptional and important lands, in accordance with criteria set by the State that are consistent with the recommendations of Northern Forest Lands Council, including—

(i) places offering outstanding recreational opportunities, including locations for hunting, fishing, trapping, hiking, camping, and other forms of back-country recreation;

(ii) recreational access to river and lake shorelines;

(iii) land supporting vital ecological functions and values;

(iv) habitats for rare, threatened, or endangered natural communities, plants, or wildlife;

(v) areas of outstanding scenic value and significant geological features; and

(vi) working private forest lands that are of such significance or so threatened by conversion that conservation easements should be purchased;

(B) acquisition of land and interests in land only from willing sellers, with community support consistent with Federal, State, and local laws applicable in each State on the date of enactment of this Act;

(C) involvement of local governments and landowners in the planning process in a

meaningful way that acknowledges their concerns about public land acquisition;

(D) recognition that zoning, while an important land use mechanism, is not an appropriate substitution for acquisition;

(E) assurances that unilateral eminent domain will be used only with the consent of the landowner to clear title and establish purchase prices;

(F) efficient use of public funds by purchasing only the rights necessary to best identify and protect exceptional values;

(G) consideration of the potential impacts and benefits of land and easement acquisition on local and regional economies;

(H) consideration of the necessity of including costs of future public land management in the assessment of overall costs of acquisition;

(I) minimization of adverse tax consequences to municipalities by making funds available to continue to pay property taxes based at least on current use valuation of parcels acquired, payments in lieu of taxes, user fee revenues, or other benefits, where appropriate;

(J) identification of the potential for exchanging public land for privately held land of greater public value; and

(K) assurances that any land or interests inland that are acquired are used and managed for their intended purposes.

(3) **WILLING SELLER.**—No Federal funds made available to carry out this section may be expended for acquisition of private or public property unless the owner of the property willingly offers the property for sale.

(4) **LAND ACQUISITION.**—

(A) **FUNDING.**—After completion of the planning process under paragraph (2), a Federal and State cooperative land acquisition project under this section may be carried out with funding provided in partnership with the Federal Government or with funding provided by both the Federal Government and a State government.

(B) **OBJECTIVES.**—A cooperative land acquisition project funded under this section shall promote State land conservation objectives that correspond with the recommendations of the Northern Forest Lands Council.

(5) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated under sections 5 and 6 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-7, 4601-8) such sums as are necessary to carry out the purposes described in this subsection.

(g) **SENSE OF CONGRESS CONCERNING FEDERAL TAX POLICY.**—It is the sense of Congress that—

(1) certain Federal tax policies work against the long-term ownership, management, and conservation of forest land in the Northern Forest region; and

(2) Congress and the President should enact additional legislation to address those tax policies as soon as possible.

(h) **LANDOWNER LIABILITY EXEMPTION.**—

(1) **FINDINGS.**—Congress finds that—

(A) many landowners keep their land open and available for responsible recreation; and

(B) private lands help provide important forest-based recreation opportunities for the public in the Northern Forest region.

(2) **SENSE OF CONGRESS.**—It is the sense of Congress that States and other interested persons should pursue initiatives that—

(A) strengthen relief-from-liability laws to protect landowners that allow responsible public recreational use of their lands;

(B) update relief-from-liability laws to establish hold-harmless mechanisms for landowners that open their land to public use, including provision for payment by the State of the costs of a landowner's defense against personal injury suits and of the costs of re-

pairing property damage and removing litter;

(C) provide additional reductions in property taxes for landowners that allow responsible public recreational use of their lands;

(D) provide for purchases by the State of land in fee and of temporary and permanent recreation easements and leases, including rights of access;

(E) foster State and private cooperative recreation agreements;

(F) create recreation coordinator and landowner liaison and remote ranger positions in State government to assist in the management of public use of private lands and provide recreation opportunities and other similar services;

(G) strengthen enforcement of trespass, antilittering, and antidumping laws;

(H) improve recreation user education programs; and

(I) improve capacity in State park and recreation agencies to measure recreational use (including types, amounts, locations, and concentrations of use) and identify and address trends in use before the trends create problems.

(i) **NONGAME CONSERVATION.**—

(1) **FINDINGS.**—Congress finds that—

(A) private landowners often manage their lands in ways that produce a variety of public benefits, including wildlife habitat; and

(B) there should be more incentives for private landowners to exceed current forest management standards and responsibilities under Federal laws.

(2) **SENSE OF CONGRESS.**—It is the sense of Congress that Congress should make it a priority to consider legislation that supports the conservation of nongame fish and wildlife and associated recreation activities on public and private lands and does not replace, substitute, or duplicate existing laws that support game fish and wildlife.

(j) **WATER QUALITY.**—At the request of the Governor of the State of Maine, New Hampshire, New York, or Vermont, the Administrator of the Environmental Protection Agency, in cooperation with the Secretary of Agriculture and the Secretary of the Interior, may provide technical and financial assistance to assess water quality trends within the Northern Forest region.

(k) **RURAL COMMUNITY ASSISTANCE.**—

(1) **IN GENERAL.**—At the request of the Governor of the State of Maine, New Hampshire, New York, or Vermont, the Secretary of Agriculture may provide technical and financial assistance to the State, working in partnership with the forest products industry, local communities, and other interests to develop technical and marketing capacity within rural communities for realizing value-added opportunities in the forest products sector.

(2) **RURAL COMMUNITY ASSISTANCE PROGRAM.**—Subject to the availability of appropriations, funds from the rural community assistance program under paragraph (1) shall be directed to support State-based public and private initiatives to—

(A) strengthen partnerships between the public and private sectors and enhance the viability of rural communities;

(B) develop technical capacity in the utilization and marketing of value-added forest products; and

(C) develop extension capacity in delivering utilization and marketing information to forest-based businesses.

(l) **NO NEW AUTHORITY TO REGULATE LAND USE.**—

(1) **NO NEW AUTHORITY.**—Nothing in this section creates new authority in any Federal agency to regulate the use of private or public land in any State.

(2) **NO EFFECT ON OTHER LAW.**—Nothing in this section affects, modifies, or amends any

law regarding the management of any Federally owned land within the boundaries of any Federal unit.

(m) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out subsections (c), (d), (e), (f), (j), and (k) of this section and section 2371 of the Rural Economic Development Act of 1990 (7 U.S.C. 6601) in the States of Maine, New Hampshire, New York, and Vermont.

Mr. BASS (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. BASS. Mr. Chairman, I rise today to offer the Northern Forest Stewardship Act as an amendment to the forest health bill offered by the gentleman from Oregon (Mr. SMITH). This amendment will give the States of Maine, New Hampshire, Vermont, New York, the tools they need to provide for the long-term management of their forests.

The amendment I am offering today grew from the 1994 report of the Northern Forest Lands Council, which the gentleman from Mississippi mentioned in his opening statement. The Council was congressionally mandated in 1991, and tasked with determining the best way to preserve the unique forests that exist across the northern portion of these four States.

The product of the Council's work was a report that recognizes the importance of promoting responsible, private stewardship of forest lands, and utilizing government resources to ensure that these lands remain commercially and aesthetically productive for generations to come.

During development of the Council's report, nearly 3,000 people attended nearly 20 listening sessions and 12 open houses. Furthermore, the Council received 1,676 comments on the draft report, many from Maine, New Hampshire, New York, Vermont, and 165 from other States outside of New England.

The amendment that I am offering today is based on the report of the Council, which recognizes the current land management in the region, where most of the forest land is privately held, has been successful. The amendment seeks to reinforce these patterns of responsible land management.

The specific recommendations were developed with broad public input, involvement of Federal, State and local governments, and the goal of these provisions is, and I quote from the amendment, to "support the primary role of the Northern Forest States in the management of their forests, to support the traditions of the region, to emphasize the rights and responsibilities of the landowners, and to advance new mechanisms for cooperative conservation of the Northern Forest lands."

To make clear that the bill is not intended to inject more Federal govern-

ment into land management, each substitute section of this amendment begins with the words "At the request of the Governor of the State of Maine, New Hampshire, New York, or Vermont," and goes on from there.

Furthermore, Section 12 specifically states, "Nothing in this act creates new authority in any Federal agency to regulate the use of private or public lands." In short, Mr. Chairman, this bill comes from the State and local level, not the Federal level, and will only provide benefits at the State and local level.

Some may be concerned that this bill has not been fully vetted in the hearing process. To this I respond that it has been fully vetted at the local level. The Northern Forest Lands Council held hundreds and hundreds of hours of public hearing on this bill, on this concept, and the open process has allowed all interested parties to participate.

Another concern I have heard is that the language of this bill is a land grab. Nothing could be farther from the truth. In fact, the amendment specifically states that the Federal Government can only engage in land acquisition at the request of the State, and with a willing seller.

Furthermore, any acquisition that occurs as a result of this amendment must have community support, a provision that will make the conservation efforts in the northern forests even more locally driven.

□ 1145

Mr. Chairman, earlier, at the end of the summer last year, I traveled to the States of Wyoming and Montana and Idaho, and I know and I understand the problems that they face. We also have problems in the Northeast. We have national forests. Sixteen percent of my district is a national forest, and we need to plan for the good and proper use of these forests over the next 20 to 30 years, not only the national forests but the land outside of those forests.

Mr. Chairman, I urge my colleagues to accept this amendment to the bill before us today.

Mr. BASS. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Ms. FURSE. Mr. Chairman, I move to strike the last word.

(Ms. FURSE asked and was given permission to revise and extend her remarks.)

Ms. FURSE. Mr. Chairman, I just would like to address a couple of issues. I want to congratulate the gentleman from New York (Mr. BOEHLERT) on trying to bring this scientific management to the issue before us. We do need scientific management of our forests, but forest management is a far more complicated issue than flying over a forest in a helicopter. What we have to understand is that it is complicated by many, many factors.

One of the factors is whether or not logging, large-scale logging, will raise the temperature of the streams in which our salmon spawn. Well, is that just an environmental issue? No, it is an economic issue, because all across the West we are finding that the families who have relied on fishing as a livelihood, that has been diminished because of the diminishment of the ecology in which those salmon spawn.

Logging has a tremendous effect on salmon and so does forest management, but I will admit freely that I am not a scientist. So I have looked carefully at a letter which was sent by 100 scientists. On this list there is a scientist from every university, I would suppose, from every university in this country. This is not a western scientist group or an eastern scientist group. They are throughout the country.

Mr. Chairman, I want to just quote from them because they are the people who understand the complexity of this issue.

They say that, H.R. 2515 is reminiscent of the "Salvage Logging Rider." They say that it would create community disharmony and less healthy forests. They go on to say, and I am quoting, "There is little scientific evidence that the national forests are suffering from a widespread forest health crisis." They go on to say, "Moreover, ecological problems in our national forests are not going to be addressed by increased commercial logging. Not only is salvage logging not necessary for forest restoration, it can cause additional damage to watersheds and fish and wildlife habitats, as well as increased severity and probability of uncontrolled natural fire."

Mr. Speaker, I get outside the quote to remind my colleague from Montana, who brought up the whole idea of forest fires, this letter goes on to say, "Scientists with the Sierra Nevada Ecosystem Project have said that logging has increased fire severity more than any other human activity due to increased fuel accumulation and changes in local microclimate."

From the Pacific Northwest, a scientific assessment by the Federal Government's Interior Columbia Basin Ecosystem Management Project found that current salvage logging practices are, quote, "not compatible with contemporary ecosystem management."

The scientists go on to say that where there are problems in the forest, "The Forest Service already has the authority to undertake the appropriate activities." They say for these reasons, new legislation that provides a broad mandate to institute, quote, "recovery projects" on potentially very large national forest areas is not needed.

They end by saying, and I quote: "We hope you will seriously consider our concerns about H.R. 2515. This is not legislation that will protect forest ecosystems, and it should not be passed by the United States Congress." I end the quote.

Mr. Chairman, these are the words of scientists, not of people here in Washington, D.C. These are scientists on the ground, in our universities, and I think we should listen to them.

Mr. Chairman, I submit the following for the RECORD.

OVER 100 SCIENTISTS OPPOSE THE "FOREST PROTECTION AND RESTORATION ACT"

Kenneth P. Able, Ph.D., Department of Biology, University of Albany, SUNY, Albany, New York; Susan B. Adams, Ph.D., Candidate, Flathead Lake Biological Station; David E. Allen, Ph.D., College of Business, Northern Michigan University, Marquette, Michigan; Professor R. Thomas Alley, Ph.D., Clemson University, Clemson, South Carolina; G. Thomas Bancroft, Ph.D., Vice President, Ecology and Economics Research Department, The Wilderness Society, Washington, D.C.; Richard C. Banks, Ph.D., USGS Patuxent Wildlife Research Center, Washington, D.C.; Robert G. Beason, Ph.D., State University of New York, Geneseo, New York; Craig W. Benkman, Ph.D., Department of Biology, New Mexico State University, Las Cruces, New Mexico; David H. Benzing, Ph.D., Department of Biology, Oberlin College, Oberlin, Ohio; David E. Blockstein, Ph.D., The Ornithological Council, Washington, D.C.; Daniel T. Blumstein, Ph.D., Postdoctoral Associate, Department of Systematics and Ecology, University of Kansas, Lawrence, Kansas; P. Dee Boersma, Ph.D., Professor of Zoology, University of Washington, Seattle, Washington; Richard Bradley, Ph.D., Associate Professor of Zoology, Ohio State University, Marion, Ohio; Richard Brewer, Ph.D., Western Michigan University, Kalamazoo, Michigan; Len Broberg, Ph.D., Environmental Studies Program, University of Montana, Missoula, Montana; Paul R. Cabe, Ph.D., Biology Department and Environmental Studies Faculty, Saint Olaf College, Northfield, Minnesota; William A. Calder, Ph.D., Department of Ecology and Evolutionary Biology, University of Arizona, Tucson, Arizona; Kenneth L. Campbell, Ph.D., Department of Biology, University of Massachusetts-Boston, Boston, Massachusetts; Christopher Camuto, Author, Buena Vista, Virginia; Jot D. Carpenter, FASLA, Professor of Landscape Architecture, The Ohio State University, Columbus, Ohio.

Douglas R. Cornett, Ph.D., Biologist, Northwoods Wilderness Recovery, Inc., Marquette, Michigan; Robert R. Curry, Ph.D., Watershed Institute, California State University, Monterey, California; Calvin DeWitt, Ph.D., Institute for Environmental Studies, University of Wisconsin-Madison, Director, Au Sable Institute, Madison, Wisconsin; Chris Elphick, Ph.D., University of Nevada, Reno, Nevada; George W. Folkerts, Ph.D., Professor of Zoology and Wildlife Science, Auburn University, Auburn, Alabama; Christopher A. Frissell, Ph.D., Flathead Lake Biological Station, The University of Montana, Polson, Montana; Barrie K. Gilbert, Ph.D., Senior Scientist, Department of Fisheries and Wildlife, Utah State University, Logan, Utah; Nancy B. Grimm, Ph.D., Arizona State University, Tempe, Arizona; Richard S. Grippio, Ph.D., Assistant Professor of Environmental Biology, Department of Biological Sciences, Arkansas State University, State University, Arkansas; R. Edward Grumbine, Ph.D., Sierra Institute, University of California Extension, Santa Cruz, California; Andrew Gunther, Ph.D., Vice President, Applied Marine Science, Inc., Livermore, California; Steven P. Hamburg, Ph.D., Ittleson Associate Professor, Environmental Studies and Biology, Brown University, Providence, Rhode Island; Jeremy Hatch, Ph.D., University of Massachusetts,

Boston, Massachusetts; Gene Helfman, Ph.D., University of Georgia, Athens, Georgia; Deborah B. Hill, Ph.D., Professor/Forestry Extension Specialist, Department of Forestry, University of Kentucky, Lexington, Kentucky; Professor Gerald E. Hite, Ph.D., Texas A&M University, Galveston, Texas; James R. Hodgson, Ph.D., Professor of Biology and Environmental Science, Department of Biology, Division of Natural Sciences, St. Norbert College, De Pere, Wisconsin; D. E. Holt, Test Systems Engineer, B.S. and M.S. Education, B.S. and M.S. Physics, MBA; Robert W. Howe, Ph.D., Associate Professor, Department of Natural and Applied Sciences, University of Wisconsin-Green Bay, Green Bay, Wisconsin.

Robert M. Hughes, Ph.D., Regional Aquatic Ecologist, Dynamic Corporation, Corvallis, Oregon; Tim Hunkapillar, Ph.D., Department of Molecular Biotechnology, University of Washington, Seattle, Washington; Timothy Ingalsbee, Ph.D., Director, Western Fire Ecology Center, Fall Creek, Oregon; Thomas Jervis, Ph.D., New Mexico Audubon Council, Los Alamos, New Mexico; Lawrence Kaplan, Ph.D., Emeritus Professor of Biology, Editor, Economic Botany, Department of Biology, University of Massachusetts, Boston, Massachusetts; Stephen R. Kellert, Ph.D., Professor, Yale School of Forestry and Environmental Studies, New Haven, Connecticut; Diana Kimberling, Ph.D., Fisheries Center-University of Washington, Seattle, Washington; Rebecca Klapner, Ph.D., Institute of Ecology, University of Georgia, Athens, Georgia; Walter D. Koenig, Ph.D., University of California, Berkeley, California; Alan J. Kohn, Ph.D., President, Society for Integrative and Comparative Biology, Department of Zoology, University of Washington, Seattle, Washington; John Latke, Graduate Student, Department of Entomology, University of California-Davis, Davis, California; Foster Levy, Ph.D., Department of Biology, East Tennessee University, Johnson City, Tennessee; David R. Lighthall, Ph.D., Department of Geography, Colgate University, Hamilton, New York; Robert J. Meese, Ph.D., Biodiversity Group, Information Center for the Environment, Department of Environmental Science and Policy, University of California, Davis, California; DeForest Mellon, Jr., Ph.D., Professor of Biology, Gilmaer Hall, University of Virginia, Charlottesville, Virginia; Brent D. Mishler, Ph.D., Director, University and Jepson Herbaria, Professor, Department of Integrative Biology, University of California-Berkeley, Berkeley, California; Joseph C. Mitchell, Ph.D., University of Richmond, Richmond, Virginia; David R. Montgomery, Ph.D., Associate Professor, Geomorphology, University of Washington, Seattle, Washington; Robert H. Mount, Ph.D., Professor Emeritus, Auburn, Alabama; Peter Morrison, Ph.D., Pacific Biodiversity Institute, Winthrop, Washington.

Dennis Murphy, Ph.D., Research Professor, Department of Biology, University of Nevada, Reno, Nevada; Julie Murray, Ph.D., Candidate, University of Georgia, Savannah River Ecology Laboratory, Aiken, South Carolina; Henry R. Mushinsky, Ph.D., Herpetologists' League Conservation Committee, Past President of the Society for the Study of Amphibians and Reptiles, University of South Florida, Tampa, Florida; Reed F. Noss, Ph.D., Conservation Biology Institute, Corvallis, Oregon; Mary H. O'Brien, Ph.D., Botanist, Independent Contractor, Eugene, Oregon; Marcia Ostrom, Ph.D., Program on Agricultural Technology Studies, University of Wisconsin-Madison, Madison, Wisconsin; Lawrence M. Page, Ph.D., Principal Scientist, Illinois Natural History Survey, Champaign, Illinois; Dennis Paulson, Ph.D., Director, Slater Museum of Natural History,

University of Puget Sound, Tacoma, Washington; Bernard C. Patten, Regent's Professor of Ecology, Institute of Ecology, University of Georgia, Athens, Georgia; Scott M. Pearson, Ph.D., Biology Department, Mars Hill College, Mars Hill, North Carolina; James L. Pease, Ph.D., Department of Animal Ecology, Iowa State University, Ames, Iowa; James W. Petranks, Ph.D., Department of Biology, University of North Carolina, Asheville, North Carolina; James W. Porter, Institute of Ecology, University of Georgia, Athens, Georgia; Michael S. Putnam, Ph.D., Candidate, Department of Zoology, University of Wisconsin, Madison, Wisconsin; Robert Michael Pyle, Ph.D., Biologist, Writer, Gray's River, Washington; Lisa Rapaport, Ph.D., Department of Anthropology, University of New Mexico, Albuquerque, New Mexico; Charles Rhyne, Ph.D., Associate Professor of Biology, Jackson State University, Jackson, Mississippi; Eric Roden, Ph.D., Department of Biological Sciences, University of Alabama, Tuscaloosa, Alabama; Steven H. Rogstad, Ph.D., Associate Professor, Biological Sciences, University of Cincinnati, Cincinnati, Ohio; Matthew Rowe, Ph.D., Department of Biology, Appalachian State University, Boone, North Carolina; Emma Rosi, M.S., Institute of Ecology, University of Georgia, Athens, Georgia.

Janice Sand, Institute of Ecology, University of Georgia, Athens, Georgia; Aristotelis Santas, Ph.D., Associate Professor of Philosophy, Coordinator, Center for Professional and Applied Ethics, Valdosta State University, Valdosta, Georgia; Jeffrey P. Schloss, Ph.D., Professor of Biology, Westmont College, Director, Biological Programs, Christian Environmental Association, Santa Barbara, California; Steven R. Sheffield, Ph.D., Clemson University, Pendleton, South Carolina; Philip C. Shelton, Ph.D., Professor of Biology, Clinch Valley College, Wise, Virginia; Mark A. Sheridan, Ph.D., Professor of Zoology, North Dakota State University, Fargo, North Dakota; Fraser Shilling, Ph.D., Division of Biological Sciences, University of California-Davis, Davis, California; Samuel M. Simkin, Ph.D., University of Georgia, Athens, Georgia; Michael G. Smith, Ph.D., Los Alamos National Laboratory, Los Alamos, New Mexico; Michael Soule, Ph.D., President, The Wildlands Project, Hotchkiss, Colorado; Roy A. Stein, Ph.D., The Ohio State University, Columbus, Ohio; Robert D. Stevenson, Ph.D., Associate Professor of Biology, University of Massachusetts, Boston, Massachusetts; Douglas Stotz, Ph.D., Environmental and Conservation Programs, Field Museum, Chicago, Illinois; Harry M. Tiebout III, Ph.D., Department of Biology, West Chester University, West Chester, Pennsylvania; Howard Towner, Ph.D., Professor of Biology, Loyola Marymount University, Los Angeles, California; Peter Warshall, Whole Earth Quarterly, San Rafael, California; Judith S. Weis, Ph.D., Department of Biological Sciences, Rutgers University, Newark, New Jersey; Bradley A. Wiley, Research Assistant, University of Kansas, Lawrence, Kansas; Bill Willers, Ph.D., Biology Department, University of Wisconsin-Oshkosh, Oshkosh, Wisconsin; Herb Wilson, Ph.D., Associate Professor of Biology, Colby College, Waterville, Maine; John A. Witter, Ph.D., University of Michigan, School of Natural Resources, and Environment, Ann Arbor, Michigan; George Woodwell, Ph.D., Woods Hole Research Director, Woods Hole, Massachusetts; Ruth D. Yanai, Ph.D., Assistant Professor, Faculty of Forestry, SUNY College of Environmental Science and Forestry, Syracuse, New York; Eric Zwerling, Ph.D., Director, Rutgers Noise Technical Assistance Center, Founder, Faculty Advisor, Students for Environmental Awareness, New Brunswick, New Jersey.

Mr. SMITH of Oregon. Mr. Chairman, I move to strike the last word.

Mr. Chairman, we have listened to arguments against this bill which are really arguments against the so-called "salvage rider" bill of 2 or 3 years ago. Those arguments simply fall on deaf ears if we carefully read this bill because, very frankly, let me take my colleagues through it one more time so that they understand how different this is from anything Members have seen before.

We recognize that there are those who do not trust the Forest Service, and we recognize that there are those people who do not trust environmentalists, and we realize that there are people who do not trust foresters. So in order to place someone in the context of the analysis, we chose to place 11 scientists. No one has identified who they are, but we have identified their character and we have identified where they should come from and their expertise.

We have suggested that four of them be appointed by the National Academy of Sciences. We suggested three of them be appointed by the Secretary of Agriculture and two by the House and two by the Senate, agriculture and resources respectively.

In that manner, we think we have provided a broad base of selection process that will give comfort to any of those who see emotionally this issue running one way or running another. And in that light, we of course have brought judgment to this whole question.

The scientific panel is appointed to identify the most difficult and problematic areas of the forest in the Nation. They submit that report to the Secretary, from which he chooses the most difficult problems that he faces in forest management throughout the country; and to that, he allots resources under a fund called the roads and trails fund that has not been used, by the way, at all for any purpose, and was returned to the Treasury between 1982 and 1996 and, after 1996, has been accumulating dollars, not being used by the Forest Service or anyone else.

So it is apparent to us that that is a proper way of providing forest health, using those dollars that have not been used before in the road and trails fund. And by the way, the FIRM program by the Forest Service used the same identical kind of process in their Forest Improvement Act in another fund.

Beyond that, the selection process is open to the public at the commencement of the program. It may be appealed by environmentalists if they choose. It is open at end. There are no time frames. The reason the Forest Service does not like this bill is because we are looking over their shoulder. They have only to report to Congress every year about what they are doing, and if Congress does not like it, your side or mine, they can use that opportunity to accuse the Forest Service of not following the law. And at the

end of the process, we ask the General Accounting Office to review the total 5 years for the Congress to determine whether the process has been working, what has happened, and if there is on-the-ground improvement.

We have used every dollar of this fund for improvement on the ground. Not one dime can be spent for Forest Service overhead, which is important because we want to see results on the ground. We have been accused, by the way, of saying you are trying to make money from this fund. And I heard the gentleman from Minnesota say these are low-cost sales. Which do we like here? The point is that both may be true. Some of this deteriorating wood may be of some value. We do not know. However, there are efforts that must be made on the ground to improve the forest floor that likely will be under cost or under any retrievable monetary impact, so that we are looking to improve the forest floor and we are not looking directly or indirectly at commercial activity.

We have said if there are any funds that are available, they go back to the county. That is a legitimate position to take, I think.

Now, we have listened to these kinds of announcements about this scientific community and that one. I just want to straighten out for the record the one that has been quoted twice now, the Sierra Nevada Ecosystem Project. It has been reported that it says that increased logging has increased fire severity more than any other human activity.

The CHAIRMAN pro tempore (Mr. PEASE). The time of the gentleman from Oregon (Mr. SMITH) has expired.

(By unanimous consent, Mr. SMITH of Oregon was allowed to proceed for 1 additional minute.)

Mr. SMITH of Oregon. Mr. Chairman, just to go on with that report and to show how we can take these things out of context, let me read, quoting the Sierra Nevada Ecosystem Project further in the body of the bill and not quoting out of context.

Fire protection for the last half century has provided for the development of continuous dense forest stands which are in need of thinning to accelerate growth, reduce fire hazard, provide more mid-succession forest habitat, and yield usable wood.

Mr. BROWN of California. Mr. Chairman, I move to strike the last word.

(Mr. BROWN of California asked and was given permission to revise and extend his remarks.)

Mr. BROWN of California. Mr. Chairman, I also had several amendments that I had intended to offer, but I have decided that I will not offer those amendments. I rise in opposition to the bill because I feel that it is fundamentally flawed and unnecessary.

The Forest Service, which also strongly opposes the bill, has testified before the Committee on Agriculture that there is no forest health crisis and that they have adequate existing authority under law to carry out needed

forest health projects. It is my view, incidentally, that they have had this authority for at least a couple of decades and in previous administrations have not used it, which to some degree accounts for some of the truly difficult forest health problems that we have at the present time.

Mr. Chairman, H.R. 3530 is one in a string of bills that we have seen over the last few years that are based on a dubious scientific hypothesis that logging will alleviate the forest health crisis in our national forests. I am troubled by claims that the solution to problems in our national forests is continued commercial logging such as what we saw under the "salvage rider" provisions of previous legislation.

The salvage rider that was attached to the fiscal year 1995 rescissions bill had an unhealthy effect on our national forests and further eroded the public's confidence in the ability of the Forest Service to manage our public lands. It is my view that this current land proposes to give the Forest Service more authority to engage in logging that is not subject to annual appropriations. The Forest Service itself has told the sponsor of this bill that it does not need or want this legislation.

Mr. Chairman, there have been a number of changes made in this bill with the intention of trying to alleviate some of the problems that have existed there. Some of the changes have been more or less cosmetic. The original versions of the bill continued to use the term "forest health," which is a catch word that we have heard over and over again to justify more logging in national forests.

As I have indicated, forest health improvement has been so closely associated with logging that this term was advisedly removed from the revised version of the bill. But otherwise the bill was not substantively changed. The point is, changing the words does not change the fact that this bill is written and designed to encourage commercial logging, more commercial logging in our national forests, period.

If there was not to be an increase in logging under this bill, I doubt if the sponsors would be seeking so enthusiastically to get it passed. If there is truly a crisis in our national forests, as the supporters of the bill contend, the Congress should appropriate funds specifically to address the problems. The type of off-budget funding mechanisms that we have in this bill have failed in the past and have seriously biased the management of our national forests.

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Rather than repeating past mistakes, we should be moving in a new direction of forest management, and we should fund programs that will truly alleviate forest health problems. During an era of fiscal conservatism, we should not continue to allow logging off budget. If these problems are real, they should be addressed and justified in the full light of day and subject to the appropriations process.

Mr. Chairman, the Secretary of Agriculture yesterday sent the chairman of the Committee on Agriculture a letter setting forth in more detail some of the things that I have mentioned and other objections that the administration has to the bill.

Mr. Chairman, I include the following for the RECORD:

DEPARTMENT OF AGRICULTURE,  
OFFICE OF THE SECRETARY,  
Washington, DC, March 26, 1998.

Hon. ROBERT F. SMITH,  
Chairman, Committee on Agriculture,  
Washington, DC.

DEAR BOB: I appreciate your efforts to address the Administration's concerns with H.R. 2515, "The Forest Recovery and Protection Act of 1998," by introducing a revised version, H.R. 3530. I know this legislation is a priority for you; I do not come to my recommendation lightly.

However, because H.R. 3530 contains several objectionable provisions not changed from the previous bill, H.R. 2515, and because it makes a material change in one significant respect from the bill the Committee reported, as I discuss below, the Administration cannot support it.

The Administration's primary objections to H.R. 3530 are that it: 1) expands an existing forest restoration program to allow commercial timber harvesting and other activities; 2) places pressure on local forest supervisors to generate large timber receipts under the program because the bill gives states, for the benefit of counties, 100 percent of the receipts, which is inconsistent with the Administration's fiscal year 1999 budget proposal; 3) establishes unreasonable deadlines on public comment and the agency's review of those comments; 4) greatly limits the agency's ability to conduct sound environmental analysis on the program's standards and criteria within the deadlines; and 5) contains costly administrative and reporting processes, which would take personnel and funds away from priority, on-the-ground forest improvement activities.

The Administration strongly opposes the bill's funding mechanism, which turns an existing restoration-type fund, the Roads and Trails Fund, into a commercial timber harvesting program that would include salvaging and thinning of timber in entire forests, which section 3 defines as recovery areas. Requiring the Forest Service to designate forests as recovery areas would unnecessarily open entire forests to these activities when, in fact, restoration is required only on specific, discrete areas, not forest-wide. Such a forest-wide designation would further weaken the existing restoration fund by imprudently broadening the scope of commercial timbering activities the fund could finance.

Moreover, section 8 in H.R. 3530 broadens the Committee-reported bill by requiring that all revenues generated from timber sales and other activities be given to counties, for the benefit of local schools and roads, creating an incentive for communities to place enormous pressure on forest managers to offer commercial timber sales rather than conduct needed, noncommercial restoration projects. This provision also greatly expands a 90-year-old statute which provides 25 percent of receipts from timber, mining, and grazing to states and counties.

In doing so, the changes incorporated into H.R. 3530 from the Committee-reported bill would enhance the link between timber, schools, and roads and create expectations in communities that more timber receipts will be available under this program for these purposes. The Administration's fiscal year

1999 budget proposes to eliminate the direct connection of Federal timber receipts and contributions to schools and roads, providing instead stable, yearly payments based on a formula using receipts received in previous years, a policy we believe will better serve both local needs and sound forest management.

Section 4 would limit the public's comment period on the proposed standards and criteria for the program and the identification of recovery areas, severely limit the time the Forest Service would have to review comments and publish final decisions, and preclude the agency from modifying decisions on designated recovery areas. The Administration opposes these provisions because they 1) limit the public's ability to be heard on how its forests are managed, 2) limit the agency's ability to respond to the public's concerns, and 3) impede the ability of the Forest Service to conduct meaningful environmental analysis, putting those important assessments on an artificial timetable instead of one determined by the schedule of sound science.

I appreciate your interest in forest restoration and the progress you have made in improving the legislation from its original form; nonetheless, if H.R. 3530 is presented to the President in its present form, because of the objectionable provisions I have outlined and other concerns, I would have to recommend that the President veto it.

With best personal regards, I am  
Sincerely,

DAN GLICKMAN,  
Secretary.

Mr. GILCHREST. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would just like to point out to my colleagues some of the provisions as they are stated within the context of the bill. First of all, I would like to make very clear that this, as far as my understanding of the bill, working on this piece of legislation for several weeks now, this bill is not a logging bill, this bill is a recovery bill. This deals with the recovery of certain areas that the chief of the Forest Service has described as needing some recovery, some management. This is not a logging bill.

I would like to bring to my colleagues' attention page 7 of the bill, line 8, where it says, "identifying recovery areas," what areas are going to be worked on. "The recovery area that will be designated will be an area that has experienced disturbances from wildfires, insect infestations, disease, wind, flood, or other causes which have caused and contributed to," which is what we want to recover and repair, "significant soil erosion, degradation of water quality, loss of watershed values, habitat loss, or damage to other forest resource areas." That is what we are looking at. These are the areas which will be considered recovery areas.

Now, the recovery project. I would ask my colleagues to turn to page 8, starting on line 3. A recovery project means, this is what we are going to do when they get on the ground, a recovery project means "to improve, restore, or protect forest resources within an identified recovery area, including the types of projects, riparian restoration, treatments to reduce stand density for

the purpose of reducing risk of catastrophic loss."

Let me bring to my colleagues' attention the Southern Appalachian assessment of their forests. It states, "Several tree species in the Southern Appalachians are at risk of extinction or significant genetic loss because of exotic pests and the lack of active management in other stands that has led to the development of dense forest understories."

I go on. "Soil stabilization and water quality improvement," this is what is going to happen on the ground, "removal of dead trees or trees being damaged by injurious agents other than," other than, "competition from other trees, prescribed fire, integrated pest management." And the list goes on. This is a list of recovery projects. It is not a list of logging.

Now I would like my colleagues to turn to page 21. What kind of scientists are going to be looking at these areas and what kind of scientists will be designating the standards and the criteria upon which we will base these recovery projects, picked independently. They will be hydrologists, wildlife biologists, fisheries biologists, entomologists or pathologists, fire ecologists, silviculturists, economists, soil scientists.

I would like to remind my colleagues of something that the gentleman from Texas talked about when he said we should compare our forest to our agriculture. The only way we are going to improve agriculture is to bring scientific data into the equation so we can not only increase the yield, but protect the environment at the same time.

Can we sustain logging? Maybe the question is, should we sustain logging? People wanting homes, with the need for construction, do we need wood? The answer is yes. How do we sustain logging? We mimic nature and we protect biological diversity and we harvest trees. It is the injection of scientific data.

Now, the last comment I want to make on this, because there will be some amendments coming up, this has been a tremendously healthy exercise. We are bringing in a lot of information. There is an exchange of information. And to the extent that I can see what is happening on the floor, there is a tolerance for someone else's opinion. But the bottom line is, does this bill move us a little bit forward in understanding the limited and diminishing resources that we people depend upon? And it is my judgment that this legislation moves us in the right direction. And I encourage my colleagues to vote for the bill.

Mr. HINCHEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, the sponsors and the proponents of this bill say that they are passing this measure because they have the best interest of the national forests at heart, that what they want to do is to promote programs and policies which will make the forests

healthier, stronger, both now and in the future. And I believe that some of them actually believe that.

I have tried to find within this proposal evidence to support that proposition, and I have looked in vain. They tell us that they are establishing a network of scientists who have certain credentials which will enable them to make sound scientific judgments with regard to how the forests should be managed. That, I suppose, is okay, except that that duplicates the abilities already contained within the National Forest Service.

The National Forest Service now has people that have the ability to make these decisions. That kind of expertise exists within the Forest Service. In fact, we could look far and wide and not find people who are better able to make those judgments based upon silviculture, based upon biological diversity, based upon maintaining the soil, based upon the effects of soil erosion on aquatic life. All of that expertise now currently resides within the Forest Service, and it exists in great abundance.

All of the intellectual resources that one could want to make these decisions exists in the Forest Service. Why do we need this new, cumbersome, bureaucratic arrangement that is only going to complicate matters to superimpose their judgment over the judgment of people who are more capable of making them, already working for the Federal Government? That does not make any sense to me.

What this bill will simply do is promote logging. Now, a certain amount of logging, it is recognized, is good and healthy. But this bill is going to promote amounts of logging that are unhealthy and unreasonable, unnecessary, and will be counterproductive to the stated objectives of the proponents of this legislation.

When we come right down to it, Mr. Chairman, what this bill is is a license to steal. It is a license to steal a vast amount of the precious natural resources of this country, and it is a license to steal taxpayers' money.

Now, how does it do that? It does that by setting up this kind of arrangement, which is the kind of arrangement that I have discussed, which will enable vast amounts of cutting to go on in the national forest, based upon the idea that by so doing they are going to somehow protect the forests. It will set up a bureaucratic arrangement whereby if someone believes or supposes or imagines that there is some kind of danger occurring to the national forests, that vast amounts of that forest can be cut, clear-cutting can take place.

Now, is the size of that clear-cutting defined? Not at all. Entire forests could be cut down under the provisions of this bill. Entire forests could be clear cut under the provisions of this bill. So this bill sets up a program which will allow those misguided people who want to clear cut the national forests to

have a license to do that, a license to steal vast amounts of the natural resources of this country.

And then when there is revenue produced as a result of this larcenist logging that will take place, those financial resources will not accrue back to the taxpayers of the country, as it should because, after all, all of these resources are owned by all of the people of this country jointly. No, what this bill will do is take those monies and deposit them in certain places in the country to benefit certain constituencies or certain constituencies of certain Members of this body, so taking money that belongs to all the people of the country and putting it into special places in the country at the expense of everyone else.

That money, by the way, should be used for what it would be used under normal circumstances under the provisions of the existing law, to enable the Forest Service to conduct their business in the way that they should and the way that they want to.

The CHAIRMAN. The time of the gentleman from New York (Mr. HINCHEY) has expired.

(By unanimous consent, Mr. HINCHEY was allowed to proceed for 1 additional minute.)

Mr. HINCHEY. Mr. Chairman, so if we allow this bill to pass, what we succeed in doing is allowing vast amounts of natural resources to be stolen and vast amounts of revenue to be stolen.

I made the point in my opening remarks that the customs duties in the City of New York could be taken by the City of New York under the same kind of reasoning that goes on here or in the Port of Miami or the Port of Los Angeles under the same reasoning. Because the port is there, should all of those resources go to New York or Miami or Los Angeles or any other port? Obviously not. Those resources belong to all the people of the country, as these resources belong to all the people of the country and should not be expropriated as they would under the provision of this bill.

This bill is bad public policy, and I urge its defeat.

Mr. VENTO. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, under the procedures today in considering the context of this legislation, I had noticed several amendments which I do not intend to offer. Time does not permit me to. And quite frankly, I think the scope of this bill, working on this particular bill, amendments to modify, would be like buying a ticket on the Titanic Sea Cruise.

The fact is that the bill is not a good policy and, frankly, is based on a premise that is not correct that there is a forest crisis. I very much agree with the comments made by my colleague, the distinguished gentleman from California (Mr. BROWN), who preceded my statement in this 5-minute rule time frame. The fact is that there is not a crisis that would require this

measure and this unusual legislative measure.

Do we have problems in terms of forest health? Yes. But the answer is not one that has come just in recent years it has been growing for many decades. The fact is that it is something that has grown out of mismanagement, frankly, and I think, in a sense, really a lack of knowledge with regards to the dynamics of the management of our landscapes of these national forests and many other of our public lands.

We have today a tremendous problem that we need to address. As has been pointed out during this debate and in testimony, we spend literally billions of dollars each year and some years too many billions in terms of suppressing or fighting fire. But we found that many times fire policies and activities of the past are responsible for many of the problems in the forests, the way we fought fires.

I would suggest another issue is the fact that the way we manage the lands in terms of permitting interface with personal properties, the "urban interface" as we refer to it, that again is inviting problems and it should be addressed. We have talked about the tremendous backlog in terms of the mileage of roads that we have in our forests, mostly roads, legal but some, what we call "ghost roads," or illegal roads, total some 433,000 miles of roads in our forests; and the Forest Service reports to us the \$10.5 billion backlog in terms of maintaining them and we provide but a token amount for such.

That is why so many of us are concerned that even under this bill, new roads would be permitted in unroaded areas. We cannot maintain what we have got. common sense would dictate that when we are in a hole and we want to get out, Mr. Chairman, we quit digging. But that is obviously not a message, that understanding, that this Congress has yet come to grips with.

□ 1215

Although the Forest Service itself has taken a very bold move in trying to call a time out, an 18-month moratorium on the construction of roads until we can reframe our policies as to the management of these lands and road policy.

I noted very appropriately that the gentleman from Maryland (Mr. GILCHREST) pointed out some of the good features of this bill. I would recognize the chairman and ranking member have written some provisions in this bill that I think are appropriate in terms of talking to forest health. The problem is that the deficiencies in the bill simply are such that it does not function, and doesn't add up to good policy.

He did not talk about page 13 section and the requirements spelled out on page 13 and 14 of the substitute as to how you select these particular projects. One of them dealt with and directs these scientists to use these particular criteria in selecting the



projects. They cannot look at cost-benefit in the sense they are going to provide for below-cost sales. That is not a factor in terms of forest health. Another requirement is they need to look at what the economic impact is in an area. That is another factor. These are all requirement, but these are not the criteria that relate to forest health.

Indeed, we have the criteria that relate to forest health that have been testified to by the Forest Service, by the chief of the Forest Service. This bill does not direct itself to that. The chief talked about maintaining diversity, resiliency of the components, such as wildlife and fish riparian areas, soils, range lands, economic potential that will require active management, it will require road maintenance and obliteration, use of prescribed fire, grazing, thinning, and some salvage. He talked about, of course, the private sector involvement in terms of technical assistance on private lands as being a major problem in terms of this area.

The fact is that trying to provide these dollars in an unaccountable manner in spite of the fact you are asking for studies and reports back, if that is going to be the new template for us in the future as to how we provide accountability, why do we not pass 5-year appropriation bills? We do not do that because we know that even on a short-term we have to come back and reference and try to determine what is happening.

The CHAIRMAN pro tempore (Mr. PEASE). The time of the gentleman from Minnesota (Mr. VENTO) has expired.

(By unanimous consent, Mr. VENTO was allowed to proceed for 1 additional minute.)

Mr. VENTO. Mr. Chairman, if you want to talk about good intentions, I suppose I could be generous and say that the intentions under the salvage rider were good intentions, but the fact is today that it is almost universally criticized in terms of what the consequence was of the salvage rider. Others will say that was not their intention. But the fact is that was just a short 2 years ago. And we have had all kinds of problems and controversy.

This particular measure, untested, deserves accountability on an annual basis, and forest health deserves far more dollars of commitment. It deserves the solid support to the United States Forest Service in terms of dealing with forest health, not something superimposed with new criteria which I think has the potential to continue road building, continue business as usual at the expense of the taxpayer and at the expense of losing our natural forest legacy, the proper inheritance, I think, of all Americans.

Mr. Chairman, I rise in opposition to H.R. 3530, the Forest Recovery and Protection Act of 1998. I can think of few bills in my experience in Congress or back in Minnesota that were more ironically named. In short, this bill is about neither the recovery nor the protec-

tion of our National Forests. It's about more logging, plain and simple. This policy reminds one of a false syllogism: state some information in an arbitrary fashion, then draw a conclusion which is entirely inconsistent and incorrect.

As most of you know, this bill is a rerun of the salvage logging rider; a new incarnation of an old ideal a bad idea. Introduced as H.R. 2515 late last year, it has been changed in recent days in a failed attempt to achieve consensus. Mr. Chairman, I say to those members who are suspicious of this new bill, you have every right to be skeptical and yes cynical. This bill does not accomplish consensus. It does not improve upon H.R. 2515. The most crucial and damaging aspects of that legislation remain intact, and in fact a number of adverse additional new proposals have been added. I will certainly vote no and urge others to do the same.

I will vote no because this legislation is based on an entirely faulty premise. While we all realize that there are problems in some Western forests, there is no forest health crisis. Mike Dombeck, Chief of the U.S. Forest Service, agrees and testified to this point. In testimony before the House Agriculture Committee last year, Mr. Dombeck referred to the "generally . . . healthy" condition of our nation's forests. He admitted there are problems. But he also detailed the Forest Service's current problem solving tools, like thinning, maintenance and obliteration of roads, and prescribed fire. A committee of more than 100 independent scientists, furthermore, recently sent a letter to Congress, in which they claim that "there is no widespread or universal forest health crisis." But the proponents of this measure must establish a crisis in order to justify the policy in this bill. It's like a policy in search of a crisis. Creating the crisis justifies in their minds' eyes the salvage harvest of our National Forests.

This bill is unnecessary and harmful. The recovery projects proposed by this bill will most likely lead to commercial logging. Yet it was precisely these sorts of activities that created our current problems in the first place. Scientists working on the Sierra Nevada Ecosystem project concluded that logging increased the severity of forest fires more than any other human activity. There's one thing worse than a solution to a problem that doesn't exist, and that's a solution that makes the problem worse.

There are a few specific problems with this bill that I would like to focus on. First, it creates an off-budget fund for the Forest Service. I find it ironic that on the same day that the major committees of jurisdiction are holding a hearing at which they blast the Forest Service for being poorly managed, we are considering giving them more money with even less accountability to the public. If, Mr. Chairman, the sponsor of this legislation is serious about solving forest health problems, he should consider putting the fund it creates back on budget and subject such expenditures to open Congressional and public scrutiny.

Second, this salvage program could take place virtually anywhere, not just in areas where forests are in so-called "poor health." Sponsors claim that they are protecting wilderness, old growth and riparian areas. Protecting wilderness isn't just a good idea or a choice: logging in areas of the National Wilderness Preservation System is against the law. And

the claims of protecting old growth and riparian areas are disingenuous at best. This bill only prohibits logging in riparian and old growth areas that are currently protected by land management plans. Unfortunately, many current land management plans are out of date and not in sync with current scientific information. This bill takes advantage of that lack of protection in such plans and roadless areas not protected are opened to logging and treatment in the name of forest health rather than integrating new information into current forest plans.

Finally, this bill codifies below-cost timber sales. It states that "a recovery project is not precluded simply because the cost of preparing and implementing the recovery project is likely to exceed the revenue derived from the recovery project." Mr. Chairman, passage of H.R. 3530 would codify below cost timber sales in permanent law justifying such subsidized harvest as far as the eye can see. That sends a very bad message to the taxpayers, it's bad environmental policy, and it alone is a reason to oppose this bill.

H.R. 3530 is far from a solution to the forest health problems in our National Forests—it will just make our current problems worse. I urge my colleagues to join me in voting against this measure. Once you see beneath the veneer of forest health, what is evident is the establishment in law of a collection of the deficient practices that have existed within our National Forests in the past decades. This is just another new verse to the same music. It's business as usual and instant gratification for the timbering special interests at the expense of taxpayers and future generations. Passage of this measure puts their resource legacy, their American forest heritage, very much at risk.

Mr. SMITH of Oregon. Mr. Chairman, I ask unanimous consent to speak for 1 minute out of turn.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. SMITH of Oregon. Mr. Chairman, I just want to correct the record from the last speaker. There is accountability every year, because the GAO reports every year on what occurs on the ground. There is accountability, fiscally and on the ground. On page 13 which he mentioned, he failed to tell you what is the rest of page 13:

Ensure that each recovery project complies with the land management plan applicable to the recovery area within which the recovery project will be conducted; and ensure that each recovery project will maintain or enhance the ecological functions and conditions of the forest in which the project will be conducted.

Mr. VENTO. Mr. Chairman, I ask unanimous consent to proceed out of order for 1 minute.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. VENTO. Mr. Chairman, I recognize that reports are required, but the fact is that this is a less precise way and a less effective way in terms of attaining accountability from the program. We do not do that through the



regular process. Regular appropriations might be a little better for such an untested program. I would further point out that the amount of dollars in this measure is not nearly enough to begin to deal on a broad basis with forest health, which the gentleman acknowledges. We have a problem here with road building and with taking care of the roads and I think that we are not addressing that particular problem in the regular land plans, a \$10.5 billion backlog exists in repair and maintenance. This is at the best cosmetic, but I think it has some other serious problems and deficiencies that I pointed out in my previous statement.

AMENDMENT OFFERED BY MR. SMITH OF OREGON

Mr. SMITH of Oregon. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Oregon:

On page 29, beginning on line 15, strike paragraph (4) and insert instead:

"(4) PROHIBITION ON USE OF ANY FUNDS TO CONSTRUCTION ROADS.—For purposes of recovery projects authorized by this Act, amounts in the Fund shall not be used, either directly through direct allocations from the Fund, or indirectly through allocations to recovery projects from other Forest Service accounts, for the construction of roads, in those areas within the recovery project where the construction of roads would be prohibited by any Federal environmental law or the applicable land management plan."

Mr. SMITH of Oregon (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Oregon?

Mr. MILLER of California. Mr. Chairman, reserving a point of order, I want to make sure we have the right amendment.

Mr. SMITH of Oregon. Let us continue with the reading for the gentleman. It is not that long.

The CHAIRMAN pro tempore. The Clerk will read.

The Clerk concluded the reading of the amendment.

The CHAIRMAN pro tempore. Does the gentleman reserve a point of order?

Mr. MILLER of California. Yes, Mr. Chairman. We would like to see the amendment, would be the first point of order.

The CHAIRMAN pro tempore. The gentleman reserves a point of order.

Mr. SMITH of Oregon. Mr. Chairman, this issue has been hovering around the debate on this bill for some time. It has been very controversial. It is the question in two parts, one, of whether or not this involves roadless areas which the chief of the Forest Service has placed a moratorium on. It does not.

Then there was this effort to discuss permanent roads, new roads. We heard the gentleman from New York discuss that earlier. There was some debate about whether this allowed roads, did not allow roads, and whatever. What I have done with this amendment is sim-

ply to lift the whole question of roads out of this bill, so that the decision as to whether or not recovery projects will be involved with roads will be finally decided by the scientists who propose these programs as well as by the Secretary of Agriculture as well as by those forest managers on the ground.

Let me make the point that the gentleman from Minnesota just made, and that is simply that the meager amounts of money in the road and trails fund certainly are not enough to take care of the health problems in this country. There is no question about that. That is why we have had this selection process to find the most critical problems in forest in the country and then allow the Secretary to allot funds.

I want to ask you the question rhetorically. If the Secretary of Agriculture determines through his chief that there be a moratorium on roadless areas, what in the world would make the Secretary of Agriculture identify one of these recovery areas that violated his stipulation that you cannot build roads in roadless areas during the moratorium? Or maybe at any other time? The fear that will emanate from this discussion simply is not there.

What I am trying to do here again is lift the debate of roads out of this question. It is not a forest health issue, by the way. It should not be a forest health issue. This whole bill in its direction is determined to be how can we improve the forest health, the ecosystem health of our Nation's forests. It ought not to be about roads.

I am sorry that I had to bring this amendment, frankly, because it raises the debate and I understand the emotion that is centered around it. However, lifting the language in this manner takes the question of roads out of the issue, and therefore I suggest and I ask the body to accept this amendment.

The CHAIRMAN pro tempore. Does the gentleman from California insist on his point of order?

Mr. MILLER of California. I do not, Mr. Chairman. I withdraw it.

The CHAIRMAN pro tempore. The gentleman withdraws his point of order.

AMENDMENT OFFERED BY MR. BOEHLERT TO THE AMENDMENT OFFERED BY MR. SMITH OF OREGON

Mr. BOEHLERT. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. BOEHLERT to the amendment offered by Mr. SMITH of Oregon:

In the last line of the amendment, insert after "law" the following: "or policy that is in effect or has been proposed in the Federal Register by the date of the enactment of this Act."

Mr. BOEHLERT (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BOEHLERT. Mr. Chairman, this amendment says that no roads could be built if doing so would violate any law or policy in effect or proposed on the date of enactment. This complex language boils down to one thing. The amendment's language will prevent this bill from being used to build roads in roadless areas. It is that basic. Let me repeat. This amendment will prevent this bill from being used to build roads in roadless areas.

As I already said and many others have repeated, no roads are needed for forest health. Let us not be misled. This amendment applies only to road construction under this bill, not to other Forest Service programs.

Mr. MILLER of California. Mr. Chairman, I move to strike the last word.

Mr. Chairman, the Smith amendment does not do what the gentleman from Oregon said that it does do. I appreciate while he would prohibit Federal roads prohibited by any Federal environmental law, of which would obviously be, that is just current law, and the second one, any applicable land management plan.

The problem is most land management plans, one, are out of date and, two, never spoke to the issue of creating roads because most of the land use management plans for the national forests were designed to allow for the continued construction of roads because that is what they were predicated upon.

We are undergoing a review in California in the Sierra Nevada of the land management plans for the very reason that they do not address these issues. That makes it imperative if the Smith amendment is going to be accepted that it be accepted with the Boehlert language, because the Boehlert language speaks to the reality of what is taking place; that is, that we have some 380,000 miles of roads in the national forests.

We have a \$10 billion backlog in these forests because they are deteriorating. We cannot take care of the ones that we have. They are starting to wreak havoc with good portions of the forests as they fall into disrepair. They are destroying the fisheries and the streams and the watersheds of some of our most valuable rivers for the production of fish for sports purposes and for commercial purposes.

That is why the Secretary of Agriculture has asked for a moratorium so they can sort out the road policy. Now the gentleman from Oregon wants to come in and impose a road policy on this legislation that does not stop road building from taking place, it allows it to continue because the forest plans allow it to continue, and we need the Boehlert amendment.

It is very interesting that now we are going to rush to make a road policy in the Smith bill when 2 days ago in the Committee on Resources they were asking for 120 hearings before we could consider any change in the road policy.

They wanted every national forest to hold a hearing before they tampered with it at all. But now all of a sudden we are going to create a road policy here that under the Smith amendment allows you to continue to build roads and ignores the moratorium by the Secretary.

That is the purpose of this amendment, because everybody here who is knowledgeable in the land management plans knows that the land management plans when they were drafted were designed to continue the commercial harvesting of the forests and part of commercial harvesting of the forests is the continuation of road building. So the land management plans would not outlaw and in fact you could continue to go into roadless areas.

There is no designation, there is no Federal law, there is no land management plan. It really concentrates these dollars, if you will, on the roadless areas. That is why we have got to have the Boehlert amendment. We should vote aye on the Boehlert amendment. If it is not accepted, we should vote no on the Smith amendment.

Mr. VENTO. Mr. Chairman, will the gentleman yield?

Mr. MILLER of California. I yield to the gentleman from Minnesota.

Mr. VENTO. I would just point out that this amendment knocks out the prohibition on the use of any funds to construct new permanent roads.

□ 1230

So, under this amendment as I read it, and I admit obviously funds are limited here, but we are talking about what we are doing. New permanent roads, I guess, would be okay, temporary roads would be okay, other types of roads would be okay if they are not prohibited by Federal environmental law or applicable law or policy in effect at this date with the Boehlert amendment.

But what I am pointing out is that this simply means business as usual. Obviously, we are only talking about the selected forest health areas, but they are knocking out the provision that had put a limitation on permanent roads.

I mean, we are dealing here, because the policy is deficient, and what they are trying to do is to rewrite those assets and policies, and the statement came up that roads were not a factor in terms of forest health. Well, that is news to the scientists and to the Forest Service, because these roads are a major health problem in terms of our forests. They are a major problem in terms of where fire incidents occur is along these roads, of the slumping that occurs in the soils that are choking the streams of the unmaintained nature of these 433 miles of legal and illegal roads.

There are major forest health problems.

Mr. MILLER of California. Mr. Chairman, I thank the gentleman, and he makes the exact point. As my col-

leagues know, okay, the Smith bill just got caught with his hand in the cookie jar because they are going to allow increased road building, that Congress for the most part is against increased road building, the administration has a moratorium on it. So now they are trying to offer some camouflage in this amendment to pretend like they are going to take road building.

The CHAIRMAN pro tempore (Mr. PEASE). The time of the gentleman from California (Mr. MILLER) has expired.

(By unanimous consent, Mr. MILLER of California was allowed to proceed for 1 additional minute.)

Mr. MILLER of California. And to pretend that they are going to take it out, because they are not going to do it where it is prohibited by Federal law. I suggest they could not do it where it was prohibited by Federal law, because that would be FIRM law and where there is land management plans, except that they know that the land management plans do not prohibit road building.

So the Boehlert amendment must be adopted if we are going to protect the Federal Treasury, if we are going to protect the national forests, if we are going to protect the local users of these forests. We must have the Boehlert amendment at a minimum. If we take the Smith amendment, all bets are off, we are just back to using Federal dollars to build roads where they are not needed, and it is these very roads that have caused a great deal of the forest health problems that supposedly this bill is addressing.

I urge my colleagues to support the Boehlert amendment and oppose the Smith amendment.

Mr. DOOLITTLE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, there is a crisis on our forests that has been well documented. The administration agrees that there is a crisis. The Forest Service chief has testified that 40 million acres of our national forests are in unacceptable condition, and this amendment by the gentleman from Oregon (Mr. SMITH) is needed. The amendment by the gentleman from New York (Mr. BOEHLERT) would be very detrimental.

How do we clean up the forests? We know we are going to have to have a substantial amount of cleanup involving the trees.

The gentleman from California (Mr. MILLER) talks about protecting the Federal Treasury. How are we going to protect the Federal Treasury? How are we going to protect the Treasury if we ban the construction of roads needed to take the timber out, and so then we go to helicopter logging, and we will be spending 3 or 4 times what it costs to take this material out over the roads. This is going to be highly detrimental to the taxpayer, but further than that, the forest fires that will result by this roadless policy being imposed will be much more detrimental in terms of

lives lost by Federal firefighters and others fighting the fire, in terms of the costs of fighting the fire, and we as a Congress will step up and appropriate whatever it takes to pay for those costs.

But the point we are trying to make is the Smith bill, which is trying to give effect to this amendment, is going to help reduce the threat of fire and danger to our communities. Why would anybody build roads that are not necessary? Roads are extremely expensive. Anybody who has ever built a road knows how expensive it is. I built a road, a half mile long, gravel, it was \$26,000, and that was 10 years ago. I do not even know what the price is today. People do not go out and do these things because they are spending somebody else's money, they are spending their own money.

I would submit, Mr. Chairman, that this policy in the Smith amendment is needed. We are in compliance with all the environmental laws. The language of this amendment makes that clear. To take the next step and go to the Boehlert amendment to this amendment would basically say clean up the forests, reduce the fire risk; but, by the way, do not use any roads that might need to be constructed to accomplish that. Figure out some other way to do it. Go to helicopter logging, go to, I do not know how else to do it other than helicopter logging.

This is absurd. It would be extremely burdensome to the taxpayer. It is a very extreme agenda. This is the extreme environmentalist agenda right here that we cannot even build roads to protect the health of the forest, to protect the endangered species that so many on this side are always upset about protecting, and indeed we will be wreaking havoc in the national forests.

In our committee we heard testimony on this. Our forests today are in the worst condition they have ever been in the entire 20th century, and it is largely due to the tremendous overgrowth of the forests, the tremendous threat of catastrophic fire that we face, and the inability to effectively address this.

When the Smith bill comes forward to try and proactively address this issue and respond even to the concerns of the administration, we are then going to be offered an approach such as that of a Boehlert amendment that ties our hands, and it will cost the taxpayer hundreds of millions of dollars if this policy is allowed to go into effect.

So I will speak for the taxpayer and urge my colleagues to defeat the Boehlert amendment and to pass the Smith amendment.

Mrs. CUBIN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I find the Smith amendment to be very good for one of our most precious natural resources; that is, our forests and our ability to use them. And I find the Boehlert amendment to be radical and extreme.

The Boehlert amendment locks up one-third of the forests in this country. So if a road washes out, a temporary road in a forest washes out, or if there is a blowdown and a road is blocked, his amendment could even be construed that those could not be repaired.

And do my colleagues know what that does? It does a lot of things, but one of the main things is that it violates the Americans With Disabilities Act. If we cannot have roads in forests, not only can we not harvest the timber and not realize the value that that has in preserving the health of the forest and bringing revenues to the communities, but we cannot have recreation in the forests either. We cannot go sightseeing, we cannot go picnicking, fishing, hunting or camping unless we want to parachute in, unless we want to walk, unless we want to ride a mule. And having just gone through some very serious surgery which limited my ability to be able to walk around, to be able to ride a horse or a mule, I cannot do that anymore, and there are millions of Americans who cannot do that either.

Locking up one-third of America's forests and not allowing people to get in there is simply wrong, and that could very well be the effect that the Boehlert amendment has, not to mention the fact that when we do not keep these roads, temporary or permanent, in conditions so that we can fight fires, we are asking for the ravages that we have seen on the 6 o'clock news to habitat for animals and to income for communities, as well as our beautiful forests.

What the Boehlert amendment is truly about is about pure unadulterated politics. According to the Forest Service communications plan, the agency is preparing to use major forest fires during the summer and fall of 1998 for political purposes. These political purposes are to help Vice President GORE run for President and to advance an extreme radical environmentalist agenda, which is exactly what the Boehlert amendment does.

According to the Washington Post, the Forest Service intends, and this is a quote, "to manipulate the media and everyone else to get support for the administration's policies over the next 8 months." That is a quote. The Washington Post article outlined the Forest Service and, therefore, the administration's strategy regarding how to get this watershed aspect of their agenda enacted. The communications plan includes having Forest Service chief Don Beck travel extensively to, again I quote, "travel extensively to fires receiving high media coverage," unquote, and to provide similar media advance for Vice President GORE prior to the 2000 presidential election. That is what is in the communication plan of the Forest Service. It is not about good forest health, it is not about managing the forests. It is about politics.

It is unconscionable to think that people will be killed and property will

be lost and habitat will be destroyed in this blatant attempt to push the administration's misguided environmental agenda. The trust that we have instilled in this Forest Service has been compromised because of this attempt at making it all the more incumbent that this Congress step forward and reject the extreme radical environmental agenda that is personified in the Boehlert amendment. We should pass the Smith amendment and then pass the bill.

Ms. MCKINNEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I yield to the gentleman from New York (Mr. BOEHLERT).

Mr. BOEHLERT. Mr. Chairman, I thank the gentlewoman for yielding. Two points I wish to make:

In response to the gentleman from California (Mr. DOOLITTLE) I wish to point out this is hardly an extreme measure. No roads are needed to accomplish forest health purposes. My amendment is narrower than the original bill language agreed to by the chairman, the gentleman from Oregon (Mr. SMITH). So I want to point that out to one and all.

Secondly, in response to my colleague from Wyoming (Mrs. CUBIN), her interpretation is wrong. My amendment does not eliminate anything or limit anything being done to deal with existing roads. They can be repaired, they can be maintained. Her interpretation is clearly wrong.

Ms. MCKINNEY. Mr. Chairman, I rise in opposition to the Smith amendment and the misnamed Forest Recovery and Protection Act and to suggest a more mainstream alternative. This fiscally irresponsible, environmentally destructive legislation, along with the infamous "salvage rider" is based on the incorrect assumption that there is a forest health crisis in the national forests and that the best way to cure a sick forest is to log it. It is nothing more than a clever use of words to hide its true intentions.

Mr. Chairman, here are some of the more creative examples of language used to foster more logging. Whether it is meadow enhancement, linear wildlife opening, vista enhancement or cross-country ski enhancement, the bottom line is that it is all the same, more logging. The only crisis in our national forests is excessive road building and destructive logging.

In contrast, H.R. 2789, the National Forest Protection and Restoration Act introduced by the gentleman from Iowa (Mr. LEACH) and myself would preserve our remaining old-growth forests by investing in environmental restoration. Furthermore, unlike the legislation we are considering today, our bill would invest in worker retraining and would end the corporate welfare practice of stealing money earmarked for environmental restoration and placing it into off-budget slush fund accounts used to promote clear-cutting.

Lastly, unlike the bill today, H.R. 2789 is consistent with the views of the American people who in recent polling have indicated that they oppose logging on national forests. Therefore, H.R. 2789 offered by Mr. LEACH and myself would end commercial logging on our national forests while providing for worker retraining and environmental restoration.

The bill before us today falls far short of H.R. 2789, and I urge my colleagues to vote down this misnamed bill.

Mr. POMBO. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I think that it is important to understand exactly what the Smith amendment attempted to do. The language of the Smith amendment states that no funds shall be used either directly through direct allocations from the fund or indirectly from allocations to recovery projects from other Forest Service accounts for the construction of roads in those areas within the recovery project where the construction of roads would be prohibited by any Federal environmental law or applicable land management plan.

Now the Boehlert amendment, and I doubt very strongly if there is a Member of the House, if they actually read the Boehlert amendment, would vote for it. And please, before my colleagues cast their vote, actually read the Boehlert amendment because it goes on to change that and say, "... policy that is in effect or has been proposed in the Federal Register by the day of the enactment of this law."

□ 1245

So any policy, any policy. We are not just talking about roadless areas. We are talking about any policy that is in effect or has been proposed in the Federal Register now becomes law.

The gentleman is completely and thoroughly abdicating any responsibility that the legislative branch has. Any authority that the legislative branch has. He is saying any policy that this administration has in effect today or that they have even proposed, that they have even put in the Federal Register, we are giving up on that. That is the effect of putting the Boehlert amendment in.

We can have a grand debate about roads. We have heard a lot of pretty funny stuff that has come out here today. I have heard people say that our forests are not in bad condition and that they do not need to be taken care of and that the only way that we can manage them is just to leave them alone and keep people out of it. I think that just shows a complete lack of knowledge as to what is going on in our forests, in our national forests in America today.

The truth of what we are saying is we do not care if the Committee on Agriculture has held any hearings on this or not. We do not care if the Committee on Resources has held any hearings

on this or not. We do not care whether or not Congress agrees with these policies or not. We do not care about any of that.

What we are saying is any policy that is in effect or has been proposed in the Federal Register all of a sudden becomes law. I would guarantee that if we knew all of the policies that are in effect, all of the policies that have been proposed, there is no way we would support that.

The gentleman from New York (Mr. BOEHLERT) would have us believe that all that this affects is a little roadless area, and that is all we are doing. That is not all we are doing. By the very language that he uses in his amendment, this is as extreme and radical as we can possibly get. We just give up on everything and say whatever the administration has proposed, any policy they have in effect, anything that they want, we are going to put that on this bill. We are just going to go that way. That is the exactly wrong way to go.

I know the gentleman from California (Mr. MILLER) and I have had a lot of discussions over the years about our forests, the health of our forests, and had some great debates on the floor of this House about what to do on environmental policy and on forest policy. But I am sure that he and his colleagues on the other side of the aisle would agree that it is bad policy for this House to, all of a sudden, say any policy that the administration has in effect, and I know he disagrees with the policies that the administration has in effect, I know many of my colleagues disagree with the policies that this administration has in effect, but any policy that they have in effect today becomes law. It is not just the ones that they are already using, that they are already implementing out in the field; it is anything that they have proposed in the Federal Register all of a sudden goes into effect with the enactment of this law.

I do not think any of my colleagues, if they read this amendment and truly understand what the impact of this amendment is, could possibly, possibly support this, because this is about as extreme an abdication of our responsibilities and our authority as the legislative branch as we could possibly get.

The CHAIRMAN. The time of the gentleman from California (Mr. POMBO) has expired.

(By unanimous consent, Mr. POMBO was allowed to proceed for 1 additional minute.)

Mr. POMBO. Mr. Chairman, if we are going to have some kind of a national forest policy that takes care of our forests, that ensures that we have healthy forests that are full of wildlife and all the things that in our mind's eye we think of when we think of national forests, this is the wrong way to go; because what this is saying is we are not going to get together in a bipartisan fashion, we are not going to hold hearings, we are not going to go out to the

forests and look at them and see what is there. We are not going to do anything that our constituents expect us to do.

What we are going to do is, we are just going to willy-nilly accept any policy that this administration has in effect, or anything that they have proposed to put into effect, and we are going to accept that. That is not what our constituents expect us to do. That is not what they sent us back here to do.

Whether we agree or disagree with the underlying bill, our constituents did not send us back here to vote blindly for any policy that this administration has in effect or anything that they proposed.

When we talk about the roadless, they have not even finished the hearing process. They have not even finished the comment period process, and we are going to accept it. They have not even finished it yet, and we are going to accept it. That is bad public policy.

I have only been here for a short period of time compared to most of my colleagues, but I can tell them there is no way that their constituents expect them to come back here, and I have never seen anything like this put on the floor of the House, where we will just blindly accept whatever policies the administration has in effect or anything that they have proposed.

Mr. RADANOVICH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, right now there is an ongoing public comment period on the administration's proposed moratorium on road building. This amendment, the Boehlert amendment, would override that public process. This amendment, the Boehlert amendment, would put the road moratorium proposal into law and cut the public entirely out of the process.

The Boehlert amendment then violates the public process that the other side claims to be so important. The Boehlert amendment overrides the regulatory process. It overrides the Administrative Procedures Act. But, most importantly, it violates the people who in good faith are participating in a national discussion on how to manage the road and infrastructure in our national forests.

The Smith amendment reaffirms this Congress' commitment that we shall not, I repeat, "not" build roads in sensitive areas that are off limits to roads under our current environmental laws; and that is the bottom line.

Ms. FURSE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, a number of colleagues here have spoken about why would anybody build a road that is not needed; that it is very expensive to build a road. One colleague pointed out what it cost him to build his own road.

Yes, I agree it is extremely expensive to build roads, but the reason that we build these roads is that it is the public who pays for the roads. We build these

roads so that companies can go in, get the timber out, but they do not pay for the roads.

So that is why it is a problem. Yes, it is expensive and, yes, the public has paid twice: for the road and for the loss of the natural resources.

Mr. Chairman, I am happy to yield to my colleague, the gentleman from California (Mr. MILLER).

Mr. MILLER of California. Mr. Chairman, I thank the gentlewoman from Oregon for yielding, because she makes a very important point, that is, why we had so many roads; because nobody had to figure out the cost-benefit of those roads.

But if anybody wondered what the impact of the Smith amendment is without the Boehlert amendment, the gentleman from Oregon (Mr. SMITH) got up and said he wanted to offer his amendment because it would take road building out of this bill.

Yet the very people who have gotten up and spoken said the Smith amendment is key to continue road building. They cannot envision the bill without the Smith amendment, because they cannot envision this bill without road building, so therefore they want the Smith amendment.

I think it is very clear that we need the Boehlert amendment, because the Smith amendment would eviscerate the moratorium with respect to these projects. These projects are so loosely defined that they can be a whole national forest.

So we all know that the current law would not prohibit the road building that the gentleman from Oregon (Mr. SMITH) talked about. In fact, under the Smith amendment, and the reason these people support the Smith amendment who have gotten up to speak here is because they are in support of road building, and they wanted more roads, and that is what the Smith amendment allows. So we should vote aye on Boehlert and no on Smith.

Mrs. CHENOWETH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I yield to the gentleman from Wyoming (Mrs. CUBIN).

Mrs. CUBIN. Mr. Chairman, I do want to speak very briefly to rebut the argument by the sponsor of this amendment when he said that maintaining and repairing roads would not be possible. Well, if we read the amendment, we will see that in fact what I said is true, that maintaining and repairing roads is not possible, because it says "or policy that is in effect."

The Clinton administration policy right now is to not allow those roads to be maintained and repaired. So I just want everyone to know that that was factual.

Mrs. CHENOWETH. Mr. Chairman, this is a sad day. I would think that this proposal would be funny because it is so extreme, if it were not so sad, with regards to what is actually happening in these public lands.

The gentleman from New York (Mr. BOEHLERT) tried to convince us that

the plain reading of this language would affect only presently designated roadless areas. He has been here a long time, and he knows how to read law, but he also knows how to try to convince people to vote for his amendment, because he is absolutely wrong.

The plain reading of the language says that it not only reaches to what has been presently designated roadless, but all public forests, all public lands, and anything else that they want to dream up, including ecosystem management plans that are now going on in the Pacific Northwest, which, by the way, affects private and State resources also. So this is very, very far-reaching. I think that this demonstrates how far and how extreme this extreme environmental movement has reached.

I know the gentleman from New York was very concerned about the Sherwood Forest, and he fought very hard for that. But if this proposal were made and employed against the Sherwood Forest, he would be as upset as we are.

The issue also is public access. These lands, these public lands, especially in the West, were set up for humans to also have public access for recreational purposes, but also to be able to fight fires.

Last year, in just 1 year, we burned more trees than we harvested in the whole history of the United States. We burned those trees, and they are left standing as lonely sentinels in the forest, and we are not able to get in and recover them because of the existing extreme policies. Now Mr. BOEHLERT wants to take it even further.

Another problem is wildlife habitat. When we have burned forests, when we have forests that have been degraded of the foodstock for our wildlife, we lose our wildlife. In fact, in Idaho, the elk herd is diminishing because the habitat is diminishing.

Watershed stability. We have heard debate today about the fact that roads create sediment in the streams. I could tell my colleagues that if all of these people who I have invited to come to the Northwest and view these forests situations with me, who also are on my committee, would accept the invitation and come out and see for themselves, they truly would see it is not the roads that are the biggest problem; it is unstable watershed because of fire. When the forests burn, of course it creates a situation where we have a lot of mud slides. That is what is destroying our streams.

Again, I would like to say that this is a proposal that is extreme, the most extreme proposal I have ever seen. It ratifies and memorializes in law the illegal activity of the present administration in setting aside a roadless moratorium without the benefit of going through present legal requirements, like the National Environmental Policy Act, the Administrative Procedures Act. Even in the open houses that the Forest Service is having all over this

Nation, especially in the West, the overwhelming opinion is against this roadless moratorium because it shuts humans out of the forests.

Mr. POMBO. Mr. Chairman, will the gentlewoman yield?

Ms. CHENOWETH. I yield to the gentleman from California.

□ 1300

The CHAIRMAN. The time of the gentlewoman from Idaho (Mrs. CHENOWETH) has expired.

(On request of Mr. POMBO, and by unanimous consent, Mrs. CHENOWETH was allowed to proceed for 2 additional minutes.)

Mr. POMBO. Mr. Chairman, in the hearings of the Subcommittee on Forests and Forest Health that the gentlewoman held here in Washington, and I understand the gentlewoman has held field hearings on these issues as well, has this policy that has been proposed, not even enacted, but a proposed policy by the administration, is there any consensus out in the gentlewoman's area or anywhere throughout the West?

Mrs. CHENOWETH. Mr. Chairman, in the West, in the areas where it will affect people, human beings, the consensus is very strongly against this roadless policy, very, very strongly against it.

Mr. POMBO. Mr. Chairman, so the people that are affected by this directly, those people who have chosen to live and work near our national forests, are opposed to it; and yet this amendment, if adopted, would adopt this policy?

Mrs. CHENOWETH. Mr. Chairman, I would say to the gentleman that they are strongly opposed to it not only because of their jobs, but because of their knowledge that it will continue to degrade the forest health.

Mr. POMBO. Mr. Chairman, if the gentlewoman will continue to yield, is it the gentlewoman's understanding that the normal course of action around here is that before a normal law is enacted, Congress hold hearings and hold votes and have the great debate on that particular law before it becomes the law; and yet if this policy were adopted, we would have numerous policies and proposals from the administration which would all of a sudden become law. Is that the normal course?

Mrs. CHENOWETH. Mr. Chairman, it is not the normal course, as I understand it and as most Americans understand it. It is a big disappointment.

Mr. POMBO. Mr. Chairman, if the gentlewoman will yield further, does the gentlewoman know of any time in the history of Congress where we just willy-nilly adopted all policies and proposals from the administration?

Mrs. CHENOWETH. Mr. Chairman, reclaiming my time, no, and such a vast policy would affect the national forests on one-third of our land base.

The CHAIRMAN. The time of the gentlewoman from Idaho (Mrs. CHENOWETH) has again expired.

(On request of Mr. POMBO, and by unanimous consent, Mrs. CHENOWETH

was allowed to proceed for 1 additional minute.)

Mr. POMBO. Mr. Chairman, as chairwoman of the committee of jurisdiction over this issue, and probably the person with the greatest knowledge of our national forests, would the gentlewoman have any clue how many policies and proposals this could possibly impact?

Mrs. CHENOWETH. Mr. Chairman, reclaiming my time, it would impact all of the public lands on one-third of the Western continent.

Mr. POMBO. Mr. Chairman, I would ask the gentlewoman, how many policies and proposals are there out there that the administration has that this could possibly impact?

Mrs. CHENOWETH. Mr. Chairman, again reclaiming my time, I would respond by saying, literally, hundreds of thousands.

Mr. POMBO. Mr. Chairman, I thank the gentlewoman for yielding.

Mr. MILLER of California. Mr. Chairman, will the gentlewoman yield?

Mrs. CHENOWETH. I yield to the gentleman from California.

Mr. MILLER of California. Mr. Chairman, in talking about hearings on the Boehlert amendment, how many hearings were there on the Smith bill in the Subcommittee on Forests and Forest Health?

Mrs. CHENOWETH. Mr. Chairman, none.

Mr. POMBO. Mr. Chairman, will the gentlewoman yield?

Mrs. CHENOWETH. I yield to the gentleman from California.

Mr. POMBO. Mr. Chairman, I would answer that by saying at least we are having debate and a vote on that. The gentleman from California (Mr. MILLER) has no clue, all of the policies and proposals that the Boehlert amendment would include. We cannot even debate that single issue.

Mrs. CHENOWETH. Mr. Chairman, reclaiming my time, there is joint jurisdiction between the Committee on Resources and the Committee on Agriculture. There were seven hearings held on the Smith bill.

Mr. HERGER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I support the Smith amendment before us and oppose the extreme amendment offered by the gentleman from New York (Mr. BOEHLERT).

The legislation of the gentleman from Oregon (Mr. SMITH) is a critical step forward as we seek to restore the health of our national forests. I am disappointed that there are some of my colleagues that would be willing to sacrifice the health of our national forest system to advance an extreme environmentalist agenda which could lead to no fuel reduction and no more road building on Federal lands.

Our forests need the option of building roads as an integral tool in allowing access to restoring forest health. According to forest fire-fighters in my

district in northern California, in order to survive wildfires are very often those areas that have been treated for fuel reductions. This means that the dense underbrush and the intermediate levels of trees are thinned, not clear-cut. They are not harvested using traditional commercial harvest methods, but carefully thinned so that fire will not destroy the entire forest. These threatened areas are also relatively safe havens for our fire-fighters as they battle a raging blaze as an untreated area of the forest.

For the safety of our brave fire-fighter crews, as well as the health of our forests, we need the legislation offered by the gentleman from Oregon (Mr. SMITH), and we need it without the extreme Boehlert amendment.

Mr. Chairman, I would like to refer now to two photographs next to me. These photographs graphically illustrate some of the problems that we must address before our forests are tragically destroyed by catastrophic fire. These gray areas represent both an unhealthy forest condition and an extraordinary fire hazard. Areas like this do not simply burn, they explode into devastating, highly intense fires, such as we see on the far left. These fires are absolutely devastating to the landscape. These areas must be treated.

In 1994, our worst fire season on record, former chief of the Forest Service, Jack Ward Thomas, stated, quote, "We cannot, in my opinion, simply step back and wait for nature to take its course. I do not believe that what has happened this fire season is acceptable as a solution to the problem. These fires of this scale and intensity are too hot, destructive, dangerous and too ecologically, economically, aesthetically and socially damaging to be tolerable," end of quote.

Historically, Western forests were filled with stands of large trees, and the forest floors were less dense and were periodically thinned out by small fires that effectively removed dense underbrush while sparing the large trees.

The Smith amendment is a science-based, environmentally sound mechanism to begin the long process of restoring our forests to a more natural state. This legislation prioritizes areas at the greatest risk of destruction, while complying with all, and I emphasize, complying with all, current environmental laws and forest plans. It establishes an independent scientific panel to ensure that all activities are applied in a way that improves forest health, using the best available and most current science. It establishes agency accountability for results on the ground and ensures fiscal responsibility by mandating annual reports to Congress. It also creates independent audits of agency performance. Most importantly, this legislation creates incentives for the Forest Service to make timely, efficient management decisions before our forests are destroyed by catastrophic fire.

While some will argue that we should simply allow these forests to heal themselves over time, that approach does not adequately consider the tinderbox conditions of many areas of our national forests. We cannot simply pretend as though many decades of well-intentioned, but environmentally unwise fire suppression activities have not impacted our forests. We cannot just walk away from this problem.

Mr. Chairman, I urge my colleagues to listen to the science, listen to the concerns.

The CHAIRMAN. The time of the gentleman from California (Mr. HERGER) has expired.

(By unanimous consent, Mr. HERGER was allowed to proceed for 2 additional minutes.)

Mr. HERGER. Mr. Chairman, I urge my colleagues to listen to the science, listen to the concerns voiced by former Forest Service chief, Jack Ward Thomas. Vote against the extreme Boehlert amendment and vote yes on the Forest Recovery and Protection Act.

Mr. Chairman, I want to make a special invitation to my colleagues. We in my district in northern California for each of the last 8 years have had what we call a woods tour to which we invite Members of Congress and others to come into our woods and see firsthand what we have in northern California to visit, some of the nine national forests that are in our beautiful area of the Sierra Nevada mountains and cascades and, too, as Paul Harvey would say, show you the rest of the story.

Well, let me just share with my colleagues just a little bit of the rest of the story, and at this time I want to invite you to come with us on this year's tour which will be June 12, 13 and 14, to come and visit our forests. Let me show my colleagues some of what my colleagues would see there. Again, look at these forests here.

We know about the heavy rains we are receiving this year and last year, but guess what? Over the last 12 years, 6 of those 12 years have been drought years; 5 of those 6 years have been continuous drought years, and what we see in our northern forests in northern California are many areas just as my colleagues see here of dead and dying trees.

We have areas of our forests that are 60 and 70 percent dead and dying, and unless we have a road that can get us into these areas so as to be able to remove these trees, these trees, it is not a question of will they burn in an area where we have natural lightning strikes, it is only when they will burn; and when they do burn, not only are these gray areas completely burned, but they completely destroy all of the healthy areas.

Again, I urge my colleagues' strong opposition to the extreme Boehlert amendment.

Mr. HAYWORTH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of the Smith amendment and

would urge this House and my colleagues to overwhelmingly reject the Boehlert amendment.

Mr. Chairman, I am struck by the irony and indeed the absurdity of what I hear from my friends on the left, and we hear echoes through history. One of the most absurd statements of our recent history was this: In order to save the village, we had to destroy it. And make no mistake, Mr. Chairman, the extreme notions offered in the Boehlert amendment offer the same rationale. For indeed, Mr. Chairman, I would invite all of my colleagues, as my colleague from California just has, to come to the 6th District of Arizona, to see what is about to transpire, and if some colleagues are more comfortable in the concrete canyons of Manhattan or the cocktail parties of the bay area, then that is fine, but I can tell them firsthand what exists in the 6th District of Arizona, in the wake of what transpired with our last bout with El Nino, we had rapid and massive undergrowth, and in the 6th District of Arizona, there was a fire that came to be known as the "Dude Fire." It threatened real people.

It is not a matter for humor, to some of the staffers who would smile in bemusement on this floor. It threatens the very livelihoods and homes of the people who live in the 6th District of Arizona. This is not some far-flung rationale for fund-raising by an interest group. This is not some way to get back at corporate America, for in abdicating our constitutional responsibility, as the gentleman from California (Mr. POMBO) from California so eloquently pointed out, we allowed, by bureaucratic fiat, the systematic destruction of homes and livelihoods across the country, but especially in the American West.

Mr. Chairman, long before I came to this Chamber in the 103rd Congress, a group of dendrologists testified before various committees that because of a lack of reasonable forest management, a corridor of fire could extend from Idaho to Mexico, and what will happen in the 6th District. God forbid, but what most likely will happen is that we will have a fire this summer, and I hope not, I fervently pray not, but conditions can exist where we could have a fire that should not be named "Dude 2," it ought to be named after the devil himself. And we have this type of inaction because it seems, sadly, that there are those who would abdicate the responsibility that we have constitutionally in favor of bureaucratic fiat and in favor of a misguided notion that if somehow we stop roadbuilding, if somehow we stop effective forest management, somehow we are saving the forests.

Mr. Chairman, while there may be some ideological bank accounts in terms of mail order ideology and scaring the American people, the real fear should come from this, that we are threatening people's homes, we are threatening people's livelihoods and

fundamentally, we are threatening the very forests we allegedly have pledged to save.

Mr. Chairman, with every ounce of sincerity and honesty, and while we acknowledge freely differences of opinion in this Chamber, Mr. Chairman, I appeal to this House not to abandon the rural citizens of America, not to abandon their livelihoods, their well-being, not to abandon reasonable forest management with what is a renewable resource.

□ 1315

This is a health and public safety issue my colleagues neglected for the sensational headlines of today, and at the same time put the lives and livelihoods of Americans at peril.

I urge the Members, overwhelmingly, reject the Boehlert amendment, preserve the Smith language, preserve our national forests, preserve a way of life that calls for a true balance between environmental safety and economic well-being.

Mr. RADANOVICH. Mr. Chairman, will the gentleman yield?

Mr. HAYWORTH. I yield to the gentleman from California.

Mr. RADANOVICH. Mr. Chairman, I thank the gentleman for yielding to me.

Mr. Chairman, the Smith amendment does not change any current policy on roadbuilding. The Boehlert amendment would codify an administrative process on road moratoriums that is currently under a public hearing process and is not finished. I urge all of my colleagues to vote no on Boehlert, yes on Smith, and yes for forest health.

Mr. BROWN of California. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the Boehlert amendment.

Mr. BOEHLERT. Mr. Chairman, will the gentleman yield?

Mr. BROWN of California. I yield to the gentleman from New York.

Mr. BOEHLERT. Mr. Chairman, I thank the gentleman from California for yielding to me.

Mr. Chairman, I would point out, we did not raise this issue. We were offering no amendments until we needed to respond to the base amendment that was offered here. My amendment was not the extreme amendment. It is an effort to get back to the language in the original bill of the gentleman from Oregon, Chairman SMITH.

This amendment, my amendment, the perfecting amendment, applies only to programs in this bill, not to other Forest Service programs. I want to make certain everyone understands that clearly.

Mr. BONIOR. Mr. Chairman, I move to strike the requisite number of words.

Mr. MILLER of California. Mr. Chairman, will the gentleman yield?

Mr. BONIOR. I yield to the gentleman from California.

Mr. MILLER of California. I thank the gentleman for yielding to me, Mr. Chairman.

Mr. Chairman, we are about at the end of this debate, under the rule. I want to say to my colleagues who have been listening to the debate, we were told at the outset of this debate that this legislation had nothing to do with salvage. During the debate we learned it had a lot to do with salvage. Although we changed the words, it was still basically a salvage and commercial timber bill.

We were told with the offering of the Smith amendment this debate and this bill had nothing to do with roads. Now we see, with the debate of the Smith amendment, it has everything to do with roads, because the proponents of this legislation do not believe that we can have forest health if we do not continue to push roads into roadless areas, into areas that have not yet been logged.

Yet, all of the scientific data that we have gathered says that in fact the areas where there are already roads, where there is a \$10 billion backlog in the Federal effort to go back and try to restore and clean up those forests, those are the forests that are most devastated. Those are the forests that are the most denigrated by past policies. Yet, we are told by the proponents of this bill that unless we push roads into new areas we cannot have forest health.

We cannot take care of the 380,000 miles of roads we have today. We have not even begun to repair those areas. We can do all of the salvage logging that the Federal budget will handle off of existing roads, and yet somehow they insist that they must have the right to push in tax-subsidized roads into roadless areas.

The roads we have in the national forests are greater than the roads we have in the National Highway System. We have more miles in the national forests than we have in the National Highway System. We have enough roads in the national forests to go around the world 16 times.

Those roads are killing our national forests. Yet, the proponents of the Smith amendment, the proponents of the Smith bill, insist that they cannot have forest health without spending millions and millions of taxpayer dollars to subsidize roads into the new areas. That is why they are speaking so strongly in front of the Smith amendment. That is why the gentleman from New York (Mr. BOEHLERT) was forced to offer this amendment, to say stop, to say stop, because the Smith amendment provides for increased roadbuilding in the national forests.

When my colleagues come here to vote on the floor, they have to vote for the Boehlert amendment to have any opportunity to restore forest health, and they have to vote against the Smith amendment, because it simply increases the waste and abuse of taxpayer dollars to build subsidized roads to take logs off of the forests, which continues to create the forest health problems we have.

If we go to the top areas in the forest across the country where we have forest health problems, they are areas that have been heavily logged, they are areas that have been heavily roaded, and it has been devastating to the pocketbook of the taxpayer, it has been devastating to the local environment.

Mr. Chairman, this is not about rural voters. In the State of California we have so over-roaded the Sierra Nevada that we now risk losing the entire forest in that area. Yet, our colleagues would have us believe that the only way we can save the Sierra Nevada is to punch more roads into it. We now find ourselves in the middle of every rainstorm having huge landslides that continue to destroy more of the forests, they destroy the roads, and they destroy the streams.

That is the policy that this administration is trying to fix. That is the policy that the Smith amendment does not agree with. That is why they are pushing for the Smith amendment, to increase the obscene mileage of roads that are already in the national forests. That is why they need \$150 million out of the current trust funds to pursue this. That is why they need another \$100 million in taxpayers' money to pursue these roads.

This should not be allowed to happen. We should vote yes on the Boehlert amendment and no on the Smith amendment.

Mr. GILCHREST. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I just have a question to ask. First of all, in my judgment this is a bill not about roads, it is not about logging, it is not about salvage, it is not about inappropriately using the taxpayers' dollars. This is a bill to target areas that need recovery. That is basically what this bill is, to recover those areas of our national forests that are having problems.

Mr. Chairman, the area we are discussing now is on page 29, lines 15 through 22. It starts out by saying, and this is the original language before it was amended, "Prohibition on use of any funds," "prohibition on use of any funds to construct new permanent roads." It seems to me they can construct roads that are not permanent.

What I would like to do, I would say that is a prohibition on new permanent roads in all recovery areas, all recovery areas, whether they are roadless or whether they are not roadless.

My question to the gentleman from New York (Mr. BOEHLERT), could he explain his amendment briefly? The gentleman has a prohibition of?

Mr. BOEHLERT. Mr. Chairman, will the gentleman yield?

Mr. GILCHREST. I yield to the gentleman from New York.

Mr. BOEHLERT. Mr. Chairman, I would say for my distinguished colleague, the gentleman from Maryland, for whom I have the greatest respect, that this bill was not about roads primarily, initially, but this amendment suddenly makes it about roads.



My amendment simply says for the programs in this bill, and only the programs in this bill, you cannot build roads in roadless areas. It is that basic.

Mr. GILCHREST. So, Mr. Chairman, the gentleman's amendment would allow the building of roads in recovery areas that are not roadless areas?

Mr. BOEHLERT. That is correct. The gentleman is correct.

Mr. LEWIS of California. Mr. Chairman, will the gentleman yield?

Mr. GILCHREST. I yield to the gentleman from California.

Mr. LEWIS of California. Mr. Chairman, I appreciate my colleague yielding to me.

It was not my intention to speak on this matter. However, it is my understanding that the recovery areas have not been determined in any final form yet, and that there are portions of the forest that could very well be included in recovery areas that could be a surprise to almost anyone on the floor.

I gather it has been suggested that the San Bernadino National Forest, which is in my territory, could very well be designated as a recovery area. If that was the case and San Bernadino National Forest was included, I would have to conclude that there would be some threat to the access to those forests that we might need if there were a horrendous fire. Can somebody help me with that?

Mr. BOEHLERT. If the gentleman will continue to yield, Mr. Chairman, this is limited only to places where timbering already occurs or is likely to occur. So that is the original bill.

What I am saying, what my perfecting amendment says, it wants to get more in line with the original language of the gentleman from Oregon (Chairman SMITH), but the gentleman from Oregon (Chairman SMITH) has been besieged by a few members of the conference to make an adjustment.

Mr. GILCHREST. Mr. Chairman, reclaiming my time, my concern was trying to understand the nature of the amendment compared to the original text of the bill, and try to differentiate between the Boehlert amendment and the Smith amendment to the original text of the bill.

Mr. LEWIS of California. Mr. Chairman, I move to strike the requisite number of words.

The CHAIRMAN pro tempore. The gentleman from California (Mr. LEWIS) is recognized for the time remaining between now and 1:30 p.m.

Mr. LEWIS of California. Mr. Chairman, I wonder if I could ask a question of my colleague, the gentleman from California (Mr. POMBO).

I had heard in the earlier debate that it is conceivable that as recovery areas are designated, that indeed, my own national forest could end up being possibly a part of a recovery area. Is that correct?

Mr. POMBO. Mr. Chairman, will the gentleman yield?

Mr. LEWIS of California. I yield to the gentleman from California.

Mr. POMBO. Mr. Chairman, I would tell the gentleman, yes, it is correct.

Mr. LEWIS of California. Help me with this hypothetical; not exactly a hypothetical.

Last year we had a major fire in the San Bernadino forest. In fact, my wife and I were driving past the front of that fire on a valley road and noted the helicopters up there, and said, my goodness, that is a very dangerous job these guys have. They were doing it because of a limitation of access, not available roads, et cetera. The following day we learned that one of those helicopters had crashed and this fellow, the pilot, was killed.

Indeed, our region has huge problems with fire threats, and the national forest has been in horrid condition. I am concerned that if it were part of a recovery area, conceivably suddenly we would have a major limitation to repairing access roads, building necessary access roads.

Is that the case in this circumstance?

Mr. POMBO. Under this circumstance, that would be the case, Mr. Chairman. Unfortunately, I am familiar with the San Bernadino forest and I know it would be an excellent place for a recovery area, because it does need some help. But in trying to recover that particular forest, they would be limited by this amendment on being able to construct access points into that particular forest.

Mr. LEWIS of California. Mr. Chairman, it seems to me that this forest conceivably could be part of a recovery area. It has been under serious difficulty in recent years because of the recent history of dry weather. A spark could literally unglue the whole mountainside.

To pass an amendment that conceivably could put in jeopardy a protection program relative to preserving ourselves against fire disaster seems to me to be a pretty extreme position, for someone who lives in the territory, at any rate.

Mr. POMBO. If the gentleman will continue to yield, Mr. Chairman, the gentleman from New York (Mr. BOEHLERT) is trying to have us believe that this amendment he has is somehow a limited amendment, in some way it is limited to one specific problem that he perceives there to be.

The fact of the matter is, read his amendment. It says, any public policy that is in effect or has been proposed in the Federal Register. So there is no one on this floor today who can tell us how many public policies are in effect today, and how many have been proposed.

So if the gentleman's forest is a recovery area, we are talking about any public policy that is in effect, or anything that has been proposed is going to be covered.

Mr. BOEHLERT. Mr. Chairman, will the gentleman yield?

Mr. LEWIS of California. I yield to the gentleman from New York.

Mr. BOEHLERT. Mr. Chairman, I want to point out that the example

cited by the gentleman, and I am very sensitive to that, would be taken care of under existing Forest Service programs. This is a very narrow, targeted area.

Mr. LEWIS of California. I would ask the gentleman from New York (Mr. BOEHLERT), I have read his amendment with care. It says, following the word "law," "or policy that is in effect on the date of the enactment of this Act, or has been proposed in the Federal Register."

□ 1330

The CHAIRMAN pro tempore (Mr. LATOURETTE). Under the previous order of the House of Thursday, March 26, 1998, all time for consideration of amendments has expired. The Chair will now put the question on the pending amendments.

The question is on the amendment offered by the gentleman from New York (Mr. BOEHLERT) to the amendment offered by the gentleman from Oregon (Mr. SMITH).

The question was taken; and the Chairman pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. BOEHLERT. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The CHAIRMAN pro tempore. Pursuant to clause 2 of rule XXIII, the Chair will reduce to 5 minutes the time for a recorded vote, if ordered, on the underlying Smith amendment.

The vote was taken by electronic device, and there were—ayes 200, noes 187, not voting 43, as follows:

[Roll No. 79]

AYES—200

Abercrombie	Ehlers	Johnson (WI)
Ackerman	Engel	Kanjorski
Allen	English	Kaptur
Andrews	Eshoo	Kelly
Baerles	Etheridge	Kennedy (MA)
Baldacci	Evans	Kennedy (RI)
Barrett (WI)	Farr	Kennelly
Bass	Fattah	Kildee
Bentsen	Fawell	Kilpatrick
Berman	Fazio	Kind (WI)
Bilbray	Filner	Klecza
Bilirakis	Foley	Klug
Blagojevich	Forbes	Kucinich
Blumenauer	Fox	LaFalce
Boehlert	Frank (MA)	Lampson
Bonior	Franks (NJ)	Lantos
Borski	Frelinghuysen	Lazio
Boswell	Furse	Leach
Boucher	Ganske	Levin
Brown (CA)	Gejdenson	Lewis (GA)
Brown (OH)	Gephardt	LoBiondo
Capps	Gilchrest	Lofgren
Carson	Gillmor	Lowe
Castle	Gilman	Luther
Chabot	Goodling	Maloney (CT)
Clayton	Gordon	Manton
Clement	Goss	Markey
Clyburn	Green	Martinez
Costello	Greenwood	Matsui
Coyne	Gutierrez	McCarthy (MO)
Cummings	Hall (OH)	McCarthy (NY)
Davis (FL)	Hamilton	McGovern
Davis (IL)	Hastings (FL)	McHale
Davis (VA)	Hefner	McIntyre
DeFazio	Hinchey	McKinney
DeGette	Holden	Meehan
DeLauro	Hooley	Meeks (NY)
Deutsch	Horn	Menendez
Diaz-Balart	Hoyer	Miller (CA)
Dingell	Hulshof	Miller (FL)
Dixon	Jackson (IL)	Mink
Doggett	Johnson (CT)	Moakley

Moran (VA) Ros-Lehtinen Stabenow Jackson-Lee Meek (FL) Sanchez  
Morella Rothman Stark (TX) Millender-Smith (TX)  
Murtha Roukema Stokes Jefferson McDonald Waters  
Nadler Roybal-Allard Strickland Johnson, E. B. Paxon Watkins  
Neal Sununu Rush Maloney (NY) Payne Watt (NC)  
Nussle Sabo Tanner McColm Pomeroy Wicker  
Obey Tauscher Taylor (MS) McDermott Rangel Young (AK)  
Olver Sanford Thompson McNulty Rogers Royce  
Ortiz Sawyer Tierney  
Owens Saxton Torres  
Pallone Scarborough Torres  
Pappas Schumer Towns  
Pascrell Scott Velazquez  
Pastor Sensenbrenner Vento  
Pelosi Serrano Visclosky  
Petri Shaw Walsh  
Porter Shays Waxman  
Poshard Sherman Weldon (PA)  
Price (NC) Skaggs Wexler  
Quinn Skelton Weygand  
Ramstad Slaughter White  
Reyes Smith (NJ) Woolsey  
Rivers Smith, Adam Wynn  
Rodriguez Snyder Yates  
Roemer Spratt

## NOES—187

Aderholt Goode Packard  
Archer Goodlatte Parker  
Armey Graham Paul  
Bachus Granger Pease  
Baker Gutknecht Peterson (MN)  
Ballenger Hall (TX) Peterson (PA)  
Barcia Hastert Pickering  
Barr Hastings (WA) Pickett  
Barrett (NE) Hayworth Pitts  
Bartlett Hefley Pombo  
Barton Herger Portman  
Bateman Hill Pryce (OH)  
Bereuter Hilleary Radanovich  
Bishop Hilliard Rahall  
Bliley Hobson Redmond  
Blunt Hoekstra Regula  
Boehner Hostettler Riggs  
Boyd Hunter Riley  
Brady Hutchinson Rogan  
Bunning Hyde Rohrabacher  
Burr Inglis Ryun  
Burton Istook Salmon  
Buyer Jenkins Sandlin  
Callahan John Schaefer, Dan  
Calvert Johnson, Sam Schaffer, Bob  
Camp Jones Sessions  
Campbell Kasich Shadegg  
Canady Kim Shimkus  
Chambliss King (NY) Shuster  
Chenoweth Kingston Sisisky  
Coble Klink Skeen  
Collins Knollenberg Smith (MI)  
Combest Kolbe Smith (OR)  
Condit LaHood Smith, Linda  
Cox Largent Snowbarger  
Cramer Latham Solomon  
Crane LaTourette Souder  
Crapo Lewis (CA) Spence  
Cubin Lewis (KY) Stearns  
Cunningham Linder Stenholm  
Danner Livingston Stump  
Deal Lucas Stupak  
Delahunt Manzullo Talent  
DeLay Mascara Tauzin  
Dickey McCreary Taylor (NC)  
Dicks McDade Thomas  
Dooley McHugh Thornberry  
Doolittle McInnis Thune  
Doyle McIntosh Thurman  
Dreier McKeon Tiahrt  
Duncan Metcalf Traficant  
Dunn Mica Turner  
Edwards Minge Upton  
Ehrlich Mollohan Wamp  
Emerson Moran (KS) Watts (OK)  
Ensign Myrick Weldon (FL)  
Everett Nethercutt Weller  
Ewing Neumann Whitfield  
Fossella Ney Wise  
Fowler Northup Wolf  
Gallegly Norwood Young (FL)  
Gekas Oberstar  
Gibbons Oxley

## NOT VOTING—43

Becerra Christensen Frost  
Berry Clay Gonzalez  
Bonilla Coburn Hansen  
Brown (FL) Conyers Harman  
Bryant Cook Hinojosa  
Cannon Cooksey Houghton  
Cardin Ford

Jackson-Lee Meek (FL) Sanchez  
(TX) Millender-Smith (TX)  
Jefferson McDonald Waters  
Johnson, E. B. Paxon Watkins  
Lipinski Payne Watt (NC)  
Maloney (NY) Pomeroy Wicker  
McCollum Rangel Young (AK)  
McDermott Rogers  
McNulty Royce

## □ 1349

Mr. HASTERT, Mr. RILEY and Mrs. CHENOWETH changed their vote from “aye” to “no.”

Messrs. FAWELL, FOLEY, and HOLDEN changed their vote from “no” to “aye.”

So the amendment to the amendment was agreed to.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. PEASE). The question is on the amendment offered by the gentleman from Oregon (Mr. SMITH), as amended.

The amendment, as amended, was rejected.

The SPEAKER pro tempore. The question is on the amendment in the nature of a substitute, as amended.

The amendment in the nature of a substitute, as amended, was agreed to.

The SPEAKER pro tempore. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. PEASE) having assumed the chair, Mr. LATOURETTE, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2515) to address the declining health of forests on Federal lands in the United States through a program of recovery and protection consistent with the requirements of existing public land management and environmental laws, to establish a program to inventory, monitor, and analyze public and private forests and their resources, and for other purposes, pursuant to House Resolution 394, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on the amendment to the amendment in the nature of a substitute adopted by the Committee of the Whole?

Mr. BOEHLERT. Mr. Speaker, I demand we have a vote on the Smith amendment, as amended.

The SPEAKER pro tempore. That amendment was not reported to the whole House. It was defeated in the Committee of the Whole.

The question is on the amendment in the nature of a substitute.

The amendment in the nature of a substitute was agreed to.

The SPEAKER pro tempore. The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

## RECORDED VOTE

Mr. MILLER of California. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 181, noes 201, not voting 48, as follows:

[Roll No. 80]

## AYES—181

Aderholt	Graham	Peterson (PA)
Archer	Granger	Pickering
Armey	Gutknecht	Pickett
Bachus	Hall (TX)	Pitts
Baerler	Hastert	Pombo
Baker	Hastings (WA)	Pryce (OH)
Barcia	Hayworth	Radanovich
Barr	Hefley	Rahall
Barrett (NE)	Herger	Redmond
Bartlett	Hill	Regula
Barton	Hilliard	Riggs
Bateman	Hobson	Riley
Bereuter	Hoekstra	Rohrabacher
Bishop	Hostettler	Ros-Lehtinen
Bliley	Hulshof	Ryun
Blunt	Hunter	Salmon
Boehner	Hutchinson	Sandlin
Boyd	Hyde	Schaefer, Dan
Brady	Inglis	Schaffer, Bob
Bunning	Istook	Sessions
Burr	Jenkins	Shadegg
Burton	John	Shaw
Buyer	Johnson, Sam	Shimkus
Callahan	Jones	Shuster
Calvert	Kasich	Sisisky
Camp	Kim	Skeen
Canady	King (NY)	Skelton
Chambliss	Kingston	Smith (MI)
Chenoweth	Knollenberg	Smith (OR)
Coble	Kolbe	Smith, Linda
Collins	LaHood	Snowbarger
Combest	Largent	Solomon
Cox	Latham	Souder
Cramer	Lewis (CA)	Spence
Crane	Lewis (KY)	Stearns
Cubin	Linder	Stenholm
Danner	Livingston	Stump
Deal	Lucas	Stupak
Diaz-Balart	Manzullo	Sununu
Dickey	Mascara	Talent
Dooley	McCreary	Tanner
Doolittle	McDade	Tauzin
Doyle	McHugh	Taylor (MS)
Dreier	McInnis	Taylor (NC)
Duncan	McIntosh	Thomas
Dunn	McKeon	Thornberry
Ehrlich	Metcalf	Thune
Emerson	Mica	Thurman
English	Moran (KS)	Tiahrt
Ensign	Myrick	Traficant
Everett	Nethercutt	Turner
Ewing	Ney	Upton
Fossella	Northup	Watts (OK)
Fowler	Norwood	Weldon (FL)
Gallegly	Nussle	Weller
Gekas	Oberstar	Whitfield
Gibbons	Oxley	Wise
	Packard	Wolf
	Paxon	Young (FL)
	Pease	
	Peterson (MN)	

## NOES—201

Abercrombie	Capps	Deutsch
Ackerman	Carson	Dicks
Allen	Castle	Dingell
Andrews	Chabot	Dixon
Baldacci	Chenoweth	Doggett
Barrett (WI)	Clayton	Ehlers
Bass	Clement	Engel
Bentsen	Clyburn	Eshoo
Berman	Condit	Etheridge
Bilbray	Costello	Evans
Bilirakis	Coyne	Farr
Blagojevich	Crapo	Fattah
Blumenauer	Cummings	Fawell
Boehlert	Davis (FL)	Fazio
Bonior	Davis (IL)	Filner
Borski	Davis (VA)	Foley
Boswell	DeFazio	Forbes
Brown (CA)	DeGette	Fox
Brown (OH)	Delahunt	Frank (MA)
Campbell	DeLauro	Franks (NJ)

Frelinghuysen	Luther	Rodriguez
Furse	Maloney (CT)	Roemer
Ganske	Maloney (NY)	Rogan
Gejdenson	Manton	Rothman
Gephardt	Markley	Roukema
Gilman	Martinez	Roybal-Allard
Gordon	Matsui	Rush
Goss	McCarthy (MO)	Sabo
Greenwood	McCarthy (NY)	Sanders
Gutierrez	McGovern	Sanford
Hall (OH)	McHale	Sawyer
Hamilton	McIntyre	Saxton
Hastings (FL)	McKinney	Scarborough
Hefner	Meehan	Schumer
Hilleary	Meek (FL)	Scott
Hinchey	Meeks (NY)	Sensenbrenner
Holden	Menendez	Serrano
Hooley	Miller (CA)	Shays
Horn	Minge	Sherman
Hoyer	Mink	Skaggs
Jackson (IL)	Moakley	Slaughter
Johnson (CT)	Mollohan	Smith (NJ)
Johnson (WI)	Moran (VA)	Smith, Adam
Kanjorski	Morella	Snyder
Kaptur	Murtha	Spratt
Kelly	Nadler	Stabenow
Kennedy (MA)	Neal	Stark
Kennedy (RI)	Neumann	Stokes
Kennelly	Obey	Strickland
Kildee	Olver	Tauscher
Kilpatrick	Ortiz	Thompson
Kind (WI)	Owens	Tierney
Klecza	Pallone	Torres
Klink	Pappas	Towns
Klug	Pascarell	Velazquez
Kucinich	Pastor	Vento
LaFalce	Paul	Visclosky
Lampson	Pelosi	Walsh
Lantos	Petri	Wamp
LaTourette	Porter	Waxman
Lazio	Portman	Weldon (PA)
Leach	Poshard	Wexler
Levin	Price (NC)	Weygand
Lewis (GA)	Quinn	White
LoBiondo	Ramstad	Woolsey
Lofgren	Reyes	Wynn
Lowey	Rivers	Yates

## NOT VOTING—48

Ballenger	Edwards	Millender-
Becerra	Ford	McDonald
Berry	Frost	Miller (FL)
Bonilla	Gonzalez	Parker
Boucher	Green	Payne
Brown (FL)	Hansen	Pomeroy
Bryant	Harman	Rangel
Cannon	Hinojosa	Rogers
Cardin	Houghton	Royce
Christensen	Jackson-Lee	Sanchez
Clay	(TX)	Smith (TX)
Coburn	Jefferson	Waters
Conyers	Johnson, E. B.	Watkins
Cook	Lipinski	Watt (NC)
Cooksey	McCollum	Wicker
Cunningham	McDermott	Young (AK)
DeLay	McNulty	

□ 1409

The Clerk announced the following pair:

On this vote:

Mr. Edwards for, with Mr. Green against.

Mr. FOLEY and Mr. CRAPO changed their vote from "aye" to "no."

So the bill was not passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## RESIGNATION AS MEMBER OF COMMITTEE ON SMALL BUSINESS

The SPEAKER pro tempore (Mr. PEASE) laid before the House the following resignation as a member of the Committee on Small Business:

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, March 27, 1998.

Hon. NEWT GINGRICH,

*Speaker of the House, Washington, DC.*

DEAR MR. SPEAKER: Please accept this letter as my formal resignation from the House Committee on Small Business.

With best wishes,

Sincerely,

JOHN E. BALDACCI,  
*Member of Congress.*

The SPEAKER pro tempore. Without objection, the resignation is accepted.  
There was no objection.

## ELECTION OF MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE

Mr. FAZIO of California. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution (H. Res. 400) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

## HOUSE RESOLUTION 400

*Resolved*, that the following named Members be, and that they are hereby, elected to the following standing committees of the House of Representatives:

To the Committee on International Relations: Lois Capps of California.

To the Committee on Science: Lois Capps of California.

To the Committee on Transportation and Infrastructure: John Baldacci of Maine; Marion Berry of Arkansas.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## LEGISLATIVE PROGRAM

(Mr. FAZIO of California asked and was given permission to address the House for 1 minute.)

Mr. FAZIO of California. Mr. Speaker, I yield to the gentleman from Texas for the announcement of the schedule for next week.

Mr. ARMEY. I thank the gentleman for yielding.

Mr. Speaker, I am pleased to announce we have concluded legislative business for the week. The House will next meet on Monday, March 30, at 12:30 p.m. for morning hour and at 2 p.m. for legislative business. Members should note that we do not expect any recorded votes before 6 p.m. next Monday.

On Monday, we will consider the following bills under suspension of the rules: House Resolution 398, a resolution urging the President to provide three Blackhawk helicopters to the Colombian National Police to eliminate the production of illicit drugs; H.R. 2186, a bill to provide assistance to the National Historic Trails Interpretive Center in Casper, Wyoming; H.R. 3113, the Rhinoceros and Tiger Conservation Reauthorization Act of 1998; H.R. 2574, a bill to consolidate certain mineral interests in North Dakota; H.R. 2686, the Iran Missile Protection Act of 1997; H.R. 3485, the Campaign Reform and

Election Integrity Act, the Illegal Foreign Contributions Act, the Paycheck Protection Act, and the Campaign Reporting and Disclosure Act.

On Tuesday, March 31, the House will meet at 11 a.m. On Wednesday, April 1, the House will meet at 10 a.m. to consider the following legislation:

The 1998 Emergency Supplemental Appropriations Act, H.R. 10, the Financial Services Competition Act of 1997, and H.R. 2400, the Building Efficient Surface Transportation and Equity Act of 1997.

□ 1415

Mr. Speaker, we hope to conclude legislative business for the week by the evening of Wednesday, April 1. As with the start of any district work period, it is difficult to predict an exact getaway time, but I imagine we should be done with our work by 6 or 8 o'clock on April 1.

Thursday, April 2, marks the beginning of the spring district work period from which the House will return on Tuesday, April 21. We expect recorded votes to be after 5 o'clock on that day.

Mr. Speaker, I would also like to discuss the funeral arrangements for our late colleague from New Mexico, Steve Schiff. A ceremony will be held on Monday, March 30, at 10 o'clock a.m. in Albuquerque, New Mexico. A funeral delegation is scheduled to leave the House steps at 6 o'clock a.m. and return to the House steps at 5:45 p.m. Members desiring to attend the funeral services should contact the Sergeant at Arms office.

I thank the gentleman for yielding me the time.

Mr. FAZIO of California. Mr. Speaker, reclaiming my time, I would inquire of the leader, are we expected to have any late nights next week, and how late would we go on Monday night?

Mr. ARMEY. I thank the gentleman for your inquiry. If the gentleman will yield?

Mr. FAZIO of California. I am happy to yield.

Mr. ARMEY. Mr. Speaker, we should expect that we could conclude our business between 7 and 8 on Monday night, and Tuesday night we might be prepared to go late in order to accommodate a completion of work on Wednesday evening.

Mr. FAZIO of California. If I can reclaim my time and ask of the leader, is there a commitment to complete H.R. 10, the Financial Services Act, before we go into recess?

Mr. ARMEY. I thank the gentleman.

Mr. FAZIO of California. I am happy to yield.

Mr. ARMEY. Yes, we intend to consider that on Tuesday of next week. Completed.

Mr. FAZIO of California. In addition, if I could ask of the leader, the Speaker has promised a vote on campaign finance reform by the end of March. I note that we have what appear to be four individual bills; I do not know the content of all of them. But is this the